

**THE EFFECTS OF COLONIZATION AND APARTHEID ON THE DEVELOPMENT
OF SOUTH AFRICA: NAMIBIAN INFLUENCE, IMPACTS ON EDUCATION, AND
STATE CAPTURE**

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Abstract

When discussing South Africa, apartheid is the most common topic that people remember. The legacies and institutional framework that apartheid established are still prevalent in the current state of development in South Africa. This work examines three prominent issues hindering the development of the South African nation. Understanding the narrative history of colonization and apartheid allows for a more comprehensive view on the current development of South Africa. Using colonial records, court rulings, journals, news articles among various other sources across the topics mentioned, a narrative is created that explains the current problems facing South Africa and Namibia. Namibia endured colonial rule from three different oppressors but was initially claimed by Germany and named German South West Africa. Although Namibia and South Africa were merged under one rule for nearly a century beginning in 1915, each nation had divergent paths to independence. Namibia eventually gained its independence in 1990, a few years prior to South Africa, which gained its own independence from apartheid rule in 1994. As a result of colonization and apartheid in South Africa, certain ideals which hindered the progression of the South African people remained, including inequities in the education system. Furthermore, some of the pervasive systems established under the apartheid regime led to failures in the accountability mechanisms which resulted in institutional weakness and state capture in South Africa. By analyzing the history and legacies of colonization of both Namibia and South Africa, the education system of South Africa, and institutional weakness in South Africa that led to state capture all paint a picture of the current state of development.

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Prefacing Quote

“Many people in this country have paid the price before me and many will pay the price after me.”- Nelson Mandela, speech in Pretoria, South Africa, November 1962

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Introduction

South Africa has faced many trials to its overall development in the modern age. The fall of the authoritarian apartheid regime in 1994 poses its own unique challenges that other nations on the African Continent did not have to endure. Working to ensure statewide enfranchisement of the entire adult population alongside their oppressor for so many years creates a distinct circumstance. The current ruling, majority party in South Africa, the African National Congress (ANC), began as an organization that advocated for African sovereignty in 1913. Nelson Mandela is the most notable member of this organization, who served nearly 30 years in prison for his actions opposing apartheid and would become the nation's first democratically elected president in 1994.¹ Since the first election in 1994, South Africa is often considered to be one of the most unequal societies on earth. The disparities between white South Africans and black South Africans are not limited to an economic gap, but rather impacts nearly every part of life from educational attainment, nutrition, to career opportunities and beyond.

Due to the fall of apartheid occurring so late into the twentieth century, South Africa had established an economy for the global era and was at an advantage to advance more rapidly than its counterparts on the continent. Development is a vague term that can be applied to numerous aspects of a nation. For the purposes of this work, development is defined as “the process of improving the quality of all human lives and capabilities by raising people's level of living, self-esteem, and freedom”.² This definition allows for the investigation of economic and political development as it pertains to advancing the citizens of South Africa. The South African

¹ Nelson Mandela. *Long Walk to Freedom: The Autobiography of Nelson Mandela*. 1st ed. Boston: Little, Brown, 1994.

² Michael P. Todaro and Stephen C. Smith. *Economic Development*. Harlow, England: Pearson Education Limited, 2015: 9.

Constitution itself serves as a social contract between the government and its citizens, prioritizing the improvement of the socioeconomic status of its citizens through correcting apartheid legislation.³

Scholars debate as to what exactly the main hinderances to the advancement of South African development are. This text focuses on three points that are viewed as the most significant: history and legacies of colonization and apartheid, the impoverished education system, as well as the issue of state capture that has taken hold in recent years. All of these together serve as a comprehensive guide to explaining the obstacles that South Africa must overcome in order to advance as a society. By answering what are the most significant hinderances to development, one can begin to tackle each issue and establish a path to future success for South Africa.

Chapter One focuses on the history of Namibia and its unique nature in comparison with South Africa and other countries on the continent. Namibia experienced its own form of colonization prior to apartheid, separate from the South African experience. Bismarck of Germany declared the land of modern-day Namibia as a colony known as German South West Africa.⁴ Rather than exploit resources and labor as the British did in South Africa, the Germans proceeded to eradicate the two largest ethnic groups in Namibia, the Herero and the Nama people. Police zones, Native Land Acts, and concentration camps to hold native people were all implemented to maintain control of the territory. The general of the German colonial forces used

³ Rachel Adams, "South Africa's Social Contract: the Economic Freedom Fighters and the Rise of a New Constituent Power?," *Acta Academica* 50, no. 3 (November 14, 2018): pp. 102-121, <https://doi.org/10.18820/24150479/aa50i3.5>.

⁴ Jürgen Zimmerer, Joachim Zeller, and Ted Neather. *Genocide in German South-West Africa: the Colonial War of 1904-1908 and Its Aftermath*. Pontypool: Merlin Press, 2010.

such force and methods that immense suffering would occur to deter possible future rebellions for generations onward.⁵

German law had remained intact when the British, and later the Afrikaners, would take over control of the colony in the post-World War I years. During this time, the Cape Colony, modern-day South Africa, and Namibia would be merged as one nation known as South Africa. Namibia became a province of South Africa, referred to as South West Africa. Namibia would form its own liberation movement called South West Africa People's Organization (SWAPO) even though the ANC had already existed and was constantly advocating for independence.⁶ Apartheid was implemented in all regions of the state, but SWAPO and the ANC would differ in their approach to independence drastically. SWAPO took a more socialist and militaristic approach to independence as opposed to the ANC who mostly used diplomatic measures.

For nearly a century, the two countries would be under one rule and one ruler. SWAPO was able to gain independence four years earlier than South Africa and with United Nations mediation, Namibia became its own nation while South Africa remained under the apartheid regime. Early on, this caused tension between both the apartheid government and the democratic government under Mandela. The industry and resources were taken from South Africa and formed into its own nation via United Nations involvement. This separation has harmed the potential growth of South Africa as the natural resources, human capital, and financial resources were removed relatively abruptly. Today, Namibia and South Africa share a familial relationship that includes a positive economic, social, and security cooperation. Both nations are significantly

⁵ Gewald, Jan-Bart. "The Great General of the Kaiser." *Botswana Notes and Records* 26 (1994): 67-76. Accessed December 16, 2020. <http://www.jstor.org/stable/40959182>.

⁶ "SWAPO Party of Namibia". *Encyclopedia Britannica*, 4 Dec. 2019, <https://www.britannica.com/topic/SWAPO-Party-of-Namibia>. Accessed 6 April 2021.

invested in each other financially, and in 2012, South African investments in Namibia measured more than R58 billion.⁷

The history and legacy of colonization and apartheid are deeply engrained in nearly every aspect of life in modern-day South Africa. The apartheid government possessed an existing system for government, education, and social structure. Much of the apartheid government and infrastructure was used and rebadged under the leadership of the ANC. By utilizing the existing system of education, South Africa is able to allow the general population to attend some form of school while being cost-effective. The issue lies in the inequities that existed during apartheid, where black South Africans were not allowed to receive much education and thus the buildings, curriculum, and amenities are severely limited.

Education access is limited in many parts of the country due to geography, income limitations, and other factors. Chapter Two explores these in detail while identifying options that are attainable to improve education outcomes across the nation. Social welfare programs, such as the Child Support Grant (CSG), offer direct monthly payments to families with children who meet certain eligibility requirements.⁸ Even though this program did not begin with the intention of raising education attainment and broadening the accessibility of education, it was a byproduct that was recognized and expanded upon. In 2010, the CSG required that children of families receiving the grant attend school regularly. By continuing to expand upon this program, access to a quality education is possible.⁹ Another option for improving education outcomes is teacher

⁷ “South African High Commission Windhoek, Namibia,” South African High Commission Windhoek, Namibia, accessed May 9, 2021, <http://www.dirco.gov.za/windhoek/bilateral.html>.

⁸ Michael Samson, Carolyn Heinrich, John Hoddinott, George Laryea-Adjei, Thabani Buthelezi, Lucie Cluver, Selwyn Jehoma, Maureen Mogotsi, Thilde Stevens, Ingrid Niekerk, Evelyne Nyokangi. (2016). *The Impact of a Promise Realized: The Story of Cash Transfers and Impact Evaluation in Sub Saharan Africa*. 10.1093/acprof:oso/9780198769446.003.0013.

⁹ Ibid, 312.

performance pay incentives. A study from India showed that offering bonuses at 3% of a teacher's yearly salary increased standardized test scores and classroom attendance.¹⁰

Troubles facing the education system include teacher retention, poor curriculum, lack of funding, and horrific access to basic amenities. A cyclical pattern emerges through the history of the South African education system. Poor curriculum creates low skilled labor and, in turn, creates teachers who often know little more than their students and the cycle continues. Teachers were found to avoid teaching subjects that they found difficult to understand such as math and science. Even after this issue was discovered, little has been done to correct it, since there is a vast teacher shortage in South Africa. The lack of funding leaves little room in a budget after salaries for employees are paid. School buildings often have no heat or air conditioning, are missing windows, have no electricity, and even lack bathrooms. Several students have died by drowning using pit latrines, as they had no access to a proper bathroom facility.¹¹ The lack of quality education, and hence the lack of skilled labor, is preventing South Africa from tackling the necessary steps to evolve into a knowledge-based economy. Limiting education is restricting the growth potential and overall development of the nation.

Chapter Three takes a wholistic approach to the event of State Capture in South Africa. State Capture is a term coined by the World Bank and refers to the occurrence of a private sector entity having control over a public sector entity.¹² In the case of South Africa, the Gupta family

¹⁰ Karthik Muralidharan and Venkatesh Sundararaman, "Teacher Performance Pay: Experimental Evidence from India," *National Bureau of Economic Research*, 2009, <https://doi.org/10.3386/w15323>.

¹¹ Eric Smalley, "Fighting for Equality in Education: Student Activism in Post-apartheid South Africa," accessed March 9, 2021, <https://ccnmtl.columbia.edu/projects/caseconsortium/casestudies/130/casestudy/>; Joshua Maserow, *Taking Equal Education into the Classroom: the Challenges to Teaching and Learning, and Possible Campaigns to Address the Crisis of Quality and Equality in the Pedagogic Encounter* (South Africa: Equal Education, 2015).

¹² Joel S. Hellman, Geraint Jones, and Daniel Kaufmann, "Seize the State, Seize the Day: State Capture, Corruption, and Influence in Transition," *Policy Research Working Papers*, 2000, <https://doi.org/10.1596/1813-9450-2444>.

exerted influence over the executive branch of government.¹³ The failure of accountability mechanisms established by the Constitution allowed for the executive branch to continue unchecked. Formal checks and balances were left out of the Constitution, and in their place, established six separate institutions to serve that purpose.¹⁴

When considering checks and balances, it is often thought to focus on the topic of ensuring citizens' rights, not to prevent the corruption of a particular branch. By analyzing various court cases, one can establish the priorities of the court, and in the case of South Africa, the court was slowly forming a system of checks and balances that came too late. Moreover, the structure of the parliamentary democracy in South Africa allows the leader of the ruling party, the ANC, to also be the president. This creates a marriage between the two branches, creating an inability for Parliament to hold the executive accountable in order to protect the image of the party.

Throughout the various levels of government, multiple organizations and individuals were manipulated to advance the agenda of President Jacob Zuma and the Gupta Family. Procurement processes which awarded government contracts were manipulated to allow a Gupta-operated company to either consult, mediate, or win a contract. Several scandals emerged that demonstrated the removal of national resources under Gupta control. This uncovered the structure of the shadow government and the war economy that fueled it.¹⁵

¹³ Pieter Labuschagne, "Patronage, State Capture and Oligopolistic Monopoly in South Africa: The Slide from a Weak to a Dysfunctional State?," *Acta Academica* 49, no. 2, 2017: 51-67.
<https://doi.org/10.18820/24150479/aa49i2.3>.

¹⁴ Heinz Klug, "Transformative Constitutions and the Role of Integrity Institutions in Tempering Power: The Case of Resistance to State Capture in Post-Apartheid South Africa," *Buffalo Law Review* 67, no. 3 (May 2019): 701-742.

¹⁵ Ivor Chipkin et al., "Structuring the Capture of the State," in *Shadow State: the Politics of State Capture* (Johannesburg: Wits University Press, 2018), 19-28.

The shadow government was a top-down organization where the controllers at the top included people like Jacob Zuma and those at the bottom ensured the movement of resources both internationally and domestically. As time passed and scandals broke, the people of South Africa began to lose faith in the effectiveness of their government to rule in their best interest. This distrust caused record low voter turnout in the last few elections and a sharp decline in the popularity of the ANC in urban areas. Groups broke from the ANC, such as the Economic Freedom Fighters (EFF), which have demanded action be taken against individuals proven to be involved in corrupt dealings.¹⁶

With the resignation of Jacob Zuma in 2018 and the rise of Cyril Ramaphosa, a “New Dawn” was promised. Ramaphosa’s “New Dawn” creates and expands the authority of anti-corruption institutions and begins investigations of corrupt individuals that had dealings with Zuma or the Guptas.¹⁷ The developmental impact of state capture is difficult to measure as resources were not allocated to the people equally nor was the economic growth on pace with other developing nations. The full consequences are unknown as Zuma left power in 2018 and the COVID-19 global pandemic shifted the attention away from correcting institutional weakness and corruption to be more focused on public health. Several actions have been taken to reduce the risk of future institutional weakness, especially in regard to corruption.

South Africa has a difficult path ahead to achieve full development. The unique nature of apartheid and its legacies in South Africa and Namibia, paired with a faltering education system in South Africa, and the institutional weaknesses that led to state capture in South Africa creates

¹⁶ Vishwas Satgar, “Black Neofascism? The Economic Freedom Fighters in South Africa,” *Canadian Review of Sociology/Revue Canadienne De Sociologie* 56, no. 4 (2019): 580-605, <https://doi.org/10.1111/cars.12265>.

¹⁷ “President Cyril Ramaphosa Pledges 'New Dawn' for South Africa,” BBC News (BBC, February 16, 2018), <https://www.bbc.com/news/world-africa-43093370>.

a distinctive set of circumstances to overcome, and by analyzing these aspects that are hindering development, one can see that the legacies of apartheid and colonization significantly impact the present and future of the nation.

The Developmental Impact of Colonization and Independence Movements in the Contemporary Era of Sub-Saharan Africa: The Case of Namibia

Introduction

In the twentieth century, Western nations had a record of creating a narrative to meet their perspective.¹⁸ The modern approach to understanding colonial history studies both the colonizer and the colonized, as opposed to focusing on the colonizer. The history of Sub-Saharan Africa is filled with political movements, war, genocide, and the effects of colonialism on modern development.¹⁹ Namibia is a unique case in the narrative of the history of Sub-Saharan Africa because of the political discourse by European powers regarding the area, its post-independence movement, and the legacy of colonialism. The Namibian experience differs significantly than that of other Sub-Saharan African countries in terms of development because it experienced three distinctive types of colonialism by three different colonizers, it does not have many natural resources, but it has been able to attract other types of investments. This case study aims to answer why the Namibian experience is different from other Sub-Saharan African countries, how the effects of colonialism affected the modern development of the Republic of Namibia, and how factors such as international relations, social reform, and contemporary Namibian politics play a role in the current state of development. By providing historical context, contrasting the experience of neighboring and other Sub-Saharan African countries, and analyzing the current state of development, the goal of this case study is to offer answers to these questions.

¹⁸ Martin Meredith. *The Fortunes of Africa: a 5000-Year History of Wealth, Greed, and Endeavour*. New York, NY: Public Affairs, 2016.

¹⁹ Ibid.

Colonialism is the battle for control of a land, its natural resources, and often human-capital that can be exploited by the occupying nation.²⁰ Since the beginning of the colonial era, colonialism has taken many different forms and shapes, ranging from extractive states such as the Belgian Congo to settler colonies, such as that of the British Cape Colony in modern-day South Africa.²¹ Each subjugated territory can be defined as either an extractive state, where natural resources are plundered for the ruling nation, or a settled colony, where people of the ruling nation immigrate to the newly formed colony.²² The authority by which the parent nation ruled varied significantly. For the purposes of Sub-Saharan Africa, the focus of colonialism is on the German, French, British, and to a lesser extent, Dutch occupation.²³ Each of these nations possessed a varying degree of influence, classified as indirect rule or direct rule.

Although each European power had its own rules for the day-to-day colonial operations, they all shared a similar goal. The objective and purpose of expending resources to maintain a colony was hinged on profitability and the maintenance of peace and order. Other similarities included the collection of taxes to improve local infrastructure. There was also a minimal investment in education, which was typically provided by missionaries. These primary reasons define the purpose of a colony, however the actions taken to produce these outcomes vary greatly among the four major powers of African colonialism.²⁴ Martin Meredith states “There seemed to be no need for more rapid development. Colonial rule was expected to last for hundreds of years”.²⁵ This quote sums up the positions of the colonizer as a general attitude toward the

²⁰ Howard W. French. *A Continent for the Taking: the Tragedy and Hope of Africa*. New York: Vintage Books, 2004.

²¹ Ibid.

²² Meredith.

²³ William H. Worger, Nancy L. Clark, and Edward Alters Alpers. *Africa and the West: a Documentary History*. Oxford: Oxford University Press, 2010.

²⁴ Martin Meredith. *The Fate of Africa: A History of the Continent Since Independence*. PublicAffairs: New York, 2011.

²⁵ Ibid., 5.

longevity and purpose that the people and resources of a colony served. Different methodologies existed on how to achieve these goals among the major European colonizers.

Colonization: Indirect Rule

The expansiveness of the British Empire was referred to as “the empire on which the sun never sets.”²⁶ Having so many colonies located across different parts of the globe did not allow for much government control to be implemented or formal infrastructure to be created, thus the British practiced a colonization method known as indirect rule.²⁷

Indirect rule occurred when a colonizer used native institutions and local high-ranking officials, such as chiefs, to issue orders to the lower class and gain information regarding resources, human capital, implemented technologies, and other intel.²⁸ This principle relied heavily on the infrastructure established by the native occupants and hiring indigenous peoples as administrators or proxy soldiers in order to maintain peace and not disturb the ruling nation with the expenditure of unnecessary resources.

Colonization: Direct Rule

At the opposite end of the colonization spectrum is direct rule. The French generally exemplified this approach. France titled their African administrators “Rois de la Brousse” or “Kings of the Bush.”²⁹ The French government implemented a fully functioning government with administrators and soldiers to maintain order and ensure profitability, instead of relying on native individuals. By 1914, France regarded their territories as a part of France or “La Plus Grande France,” and these colonies gained representation in the French Parliament.³⁰

²⁶ “Oxford Essential Quotations,” Oxford Reference (Oxford University Press), accessed December 15, 2020, <https://www.oxfordreference.com/view/10.1093/acref/9780191826719.001.0001/acref-9780191826719>.

²⁷ F. D. Lugard. *Political Memoranda: Revision of Instructions to Political Officers on Subject Chiefly Political & Administrative: 1913-1918*. London: Frank Cass, 1970.

²⁸ Ibid.

²⁹ Meredith, *The Fate of Africa: A History of the Continent Since Independence*, 6-12.

³⁰ Ibid., 12.

Implementing direct rule was more costly because the central government was intimately involved in designing new institutions for the colonized. By having centralized administrators on the ground, the colonizers ensured that the ruling nation protected its investment.

Colonization: Rule by Trade

By the 19th Century, the Dutch rule focused more on trade relationship rather than control of a land through nation-sponsored companies, such as the Dutch East India Company.³¹ The early Dutch explorers and settlers understood the effectiveness of having good trade relations with smaller colonies, as opposed to maintaining direct control for resources.³² This is a reason for the lack of Dutch colonies in the interior of the African continent later in the colonial era.

Germany Begins Colonial Expansion

Germany ruled using a hybrid system that included direct and indirect rule. This imperialistic approach was more focused on conquest through war rather than traditional colonization.³³ Otto Von Bismarck, the leader of the German Unified States, viewed colonization as “Schutzgebiet,”³⁴ which roughly translates to “colony,” but was generally designed to describe a colonial protectorate with imperialistic connotations. Germany’s late start to the colonial game allowed them to study what forms of colonization did and did not work across the globe. Germany protected its colonial interests with “Schutztruppen” or colonial troopers.³⁵ Similar to the Belgian atrocities committed in the Congo, the Germans did not fear showing their strengths. When opposition was met or rebellions occurred, German military powers would not

³¹ “Dutch East India Company,” Encyclopædia Britannica (Encyclopædia Britannica, inc.), accessed December 16, 2020, <https://www.britannica.com/topic/Dutch-East-India-Company>.

³² Jürgen Zimmerer, Joachim Zeller, and Ted Neather. *Genocide in German South-West Africa: the Colonial War of 1904-1908 and Its Aftermath*. Pontypool: Merlin Press, 2010.

³³ Michelle R. Moyd. *Violent Intermediaries: African Soldiers, Conquest, and Everyday Colonialism in German East Africa*. Athens: Ohio Univ. Press, 2014.

³⁴ Zimmerer, Zeller, and Neather.

³⁵ Ibid.

hesitate to murder the indigenous groups as an example or to simply remove any problems.

Germany focused on extracting what profits they could. Infrastructure was created under German rule, mostly via farming techniques and roads to travel more easily and safely on in German South West Africa.³⁶

In 1884, the “Scramble for Africa” had begun and the quest to find riches in the heart of Africa was the goal for every European power.³⁷ At this point in the era of colonialism, Africa and its interior was all that was left to carve up for European powers. Much of the world had been claimed in one regard or another. The Berlin Conference of 1884 regulated European colonization and trade in Africa and thus sparked interest in area of Sub-Saharan Africa.³⁸ Germany played the bystander role during the early years of the race to gain new territory, that is until the Berlin Conference of 1884.³⁹ There are several possible reasons for their late entrance into the colonial game that could have been a result of their location to the ocean, technology, or simply trade pacts that had already been established on the European continent. Bismarck would claim the area referred to as German South West Africa in 1884, slightly after the British Cape Colony laid claim to the deep harbor area of Walvis Bay in 1878.⁴⁰

The Beginning of Pan-Africanism

In the years following World War I, the first glimpse of the end of colonialism appeared. Leaders and scholars gathered together to discuss the future of the colonies of the Central Powers in the post-war years. The “Scramble for Africa” had officially ended, and more than 10,000

³⁶ Ibid.

³⁷ Leander Heldring and James Robinson. “Colonialism and Development in Africa.” VOX, CEPR Policy Portal. Accessed November 30, 2020. <https://voxeu.org/article/colonialism-and-development-africa>.

³⁸ Ibid.

³⁹ Ibid.

⁴⁰ Zimmerer, Zeller, and Neather.

African polities had been organized into 40 colonies and protectorates.⁴¹ As a result of this, many ideas came to light, such as that of Pan-Africanism. Pan-Africanism is defined as the unification of Africa and African people all over the world.⁴² Early advocates for this idea include W.E.B. Du Bois and Marcus Garvey who believed in a free and prosperous African continent, focusing on the end of European domination of the continent.⁴³ Pan-Africanism would serve as the political basis for many of the early leaders of independence movements such as Kwame Nkrumah of Ghana and Julius Kambarage Nyerere of Tanzania, who were anti-colonial and favored the idea of a united Africa.⁴⁴ Even today, we see the remnants of the Pan-African movement in the current political body, the African Union.⁴⁵ The African Union aims to provide economic advancement, security, and peace to the continent as a whole.⁴⁶

Africa was not immune to the turmoil that the globe had been engulfed into as World War II ravaged the European continent. Not only did North Africa become a theatre of war, but Britain also enlisted approximately 374,000 African troops to fight in the war effort and France called up over 80,000 to fight on their behalf.⁴⁷ Shortly after the war, colonial powers began to lose their authority over their colonies.

By 1945, only four countries were free from any colonial rule, which included Egypt, South Africa, Liberia, and Ethiopia.⁴⁸ In the decades following the war, almost all African

⁴¹ Meredith. *The Fate of Africa: A History of the Continent Since Independence*, 2.

⁴² Ibid., 143.

⁴³ W. E. B. Du Bois, Henry Louis Gates, and Arnold Rampersad. *The Souls of Black Folk*. Oxford: Oxford Univ. Press, 2007 and W. E. B. Du Bois, and Robert Gregg. *The Negro*. Philadelphia: University of Pennsylvania Press, 2014.

⁴⁴ Meredith. *The Fate of Africa: A History of the Continent Since Independence*, 145-149.

⁴⁵ "About the African Union." About the African Union | African Union, November 25, 2020. <https://au.int/en/overview>.

⁴⁶ Ibid.

⁴⁷ Meredith. *The Fate of Africa: A History of the Continent Since Independence*, 8.

⁴⁸ Ibid., 10.

countries would gain their independence through either diplomatic or violent means. Ghana would be one of the first Sub-Saharan African nations to successfully gain independence in 1957.⁴⁹ This event indicated that independence was possible and set the stage for independence movements to arise across the continent. Yet, the colonizer and the nature of authority affected the process of how a colony could gain independence. In the case of Ghana, Britain occupied the area, utilizing indirect rule, and offered the economic benefits if Ghana remained in the British Empire.⁵⁰ Britain did allow them to leave but with one caveat. Britain attempted to hinder their ability to trade with other Western nations, such that they were not able to receive all of the aid they were eligible for and had a much harder time appealing to the United Nations for help when necessary.⁵¹ Ghana was able to gain independence peacefully, yet the backlash from Britain did impede their overall development.⁵²

Land Inequity

On the opposite end of the spectrum, Zimbabwe endured a violent civil war between warring political parties using guerilla tactics.⁵³ The Rhodesian Bush War, also known as the Zimbabwe War for Liberation, was a conflict that transpired from 1964-1979 and led to the eventual rise of Robert Mugabe to power.⁵⁴ The loss of life did lead to the independence of Zimbabwe-Rhodesia and into modern-day Zimbabwe. Once the Zimbabwe African National Union appeared to be in control, they failed to gain recognition by the United Nations, and this extended the war by years and harmed the later development of Zimbabwe.⁵⁵ Owing to the cost

⁴⁹ Ibid., 19.

⁵⁰ Ibid., 19-20.

⁵¹ Ibid., 28.

⁵² Ibid.

⁵³ Martin Meredith. *Our Votes, Our Guns: Robert Mugabe and the Tragedy of Zimbabwe*. New York: PublicAffairs, 2003.

⁵⁴ Ibid.

⁵⁵ Ibid.

and extension of the war as a result of non-intervention, this caused mass inflation and delayed possible social reform and investments in local infrastructure.⁵⁶

In 1997, Tony Blair became Prime Minister of Britain and announced a disassociation of its colonial obligations in Zimbabwe. By not funding land purchases, Britain broke the Lancaster House Agreement that ended the Rhodesian Bush War. Britain had agreed to supplement white landowners when land was sold to native Africans. Mugabe was adamant about land reform, and with the news of Britain backing out of its obligation, the government of Zimbabwe claimed white-owned farms without providing the landowners with compensation.⁵⁷ This kneejerk reaction caused a massive economic depression with a substantial amount of currency inflation. By taking this land, not only did investors leave the country, but the agriculture sector suffered tremendously as well.⁵⁸

The individuals who took control of these farms under the state mandate did not possess the knowledge nor the resources to produce goods at the same levels as the farms' previous occupants. When the supply chain in the country failed, the production chain failed as well, sending the entire economy into a downward spiral.⁵⁹ Rapid and emotional land redistribution ruined Zimbabwe's economy for years after and only recently began to show signs of improvement.⁶⁰ This action served as a warning for both South Africa and Namibia when it comes to land distribution and how to make the discrepancy in racial land holdings more equitable.⁶¹ Namibia is seeking a way to reclaim lands stolen during the colonial era, but the events that unfolded in Zimbabwe serve as a cautionary tale.

⁵⁶ Ibid.

⁵⁷ Abimbola Adekoye, "Land Expropriation in Zimbabwe and Its Lessons for Namibia and South Africa," *African Renaissance* S1, no. 1 (2019): pp. 105-118, <https://doi.org/10.31920/2516-5305/2019/s1n1a5>.

⁵⁸ Ibid., 112.

⁵⁹ Ibid., 112.

⁶⁰ Ibid., 106.

⁶¹ Ibid.

Owing to the lack of United Nations assistance in peace keeping arrangements, monetary aid, and mediation with major Western powers, these newly independent nations struggled to develop economically during the second half of the twentieth century.⁶² Circumstances arose where outside intervention was necessary for successful independence movements, such as that of Angola and the Congo. Patrice Lumumba was the first Prime Minister of the Congo after they gained independence in 1960 and positioned himself as a Pan-African Nationalist.⁶³ Lumumba led a political party known as the Congolese National Movement (CNM) which was controversial due to its nationalist ideals.⁶⁴

In 1960, the Katangan Secession, an opposing political party funded by the Belgians, revolted against the CNM.⁶⁵ Lumumba's appeals to the United Nations for intervention fell on deaf ears, and he felt forced to turn to the Soviet Union for military assistance to end the rebellion. The Western Five, consisting of the United States, France, Canada, the United Kingdom, and Germany, all sought to protect the investments which they had in these newly developed countries, even if they could not directly rule over these nations.⁶⁶ Their influence was significant, as these five countries controlled much of the dealings that the United Nations partook in and considerably obstructed the way in which these countries could develop.⁶⁷ Lumumba's appeal to the Soviet Union would be his undoing as he would be assassinated by Belgian and United States forces in 1961.⁶⁸

⁶² Heldring and Robinson.

⁶³ Georges Nzongola-Ntalaja. *Patrice Lumumba*. Athens, OH: Ohio University Press, 2014.

⁶⁴ Ibid.

⁶⁵ Ibid.

⁶⁶ Hage Gottfried Geingob. *State Formation in Namibia: Promoting Democracy and Good Governance*. PhD thesis, University of Leeds, 2004, 3.

⁶⁷ Ibid., 3.

⁶⁸ Nzongola-Ntalaja.

As these early African leaders mingled with the world's political and affluent elites, ideologies evolved that could have possibly benefited the people of these countries. For example, Nkrumah stated:

“Ghana inherited a colonial economy... We cannot rest until we have demolished this miserable structure and raised in its place an edifice of economic stability, thus creating for ourselves a veritable paradise of abundance and satisfaction... Socialism is the only pattern that can within the shortest possible time bring the good life to the people”.⁶⁹

Even though many African Presidents and Prime Ministers opted toward capitalism, some favored the idea of socialism. This response was viewed as a threat by much of the Western world due to the escalating nature of the Cold War.⁷⁰ Hence, the United Nations strongly attempted to influence the path of development of many of the Sub-Saharan African countries that showed signs of going toward the path of socialism.⁷¹

South Africa and Namibia would gain freedom at the same moment with the fall of apartheid in 1990.⁷² The African National Congress (ANC) came to power in South Africa with individuals like Nelson Mandela leading the way.⁷³ The ruling party in Namibia was the South West African People's Organisation (SWAPO) and had tendencies toward the Soviet Union, Cuba, and the Cuban-backed Angola.⁷⁴ The armed wing of SWAPO called themselves the People's Liberation Army of Namibia (PLAN).⁷⁵ During the years of their development, SWAPO and PLAN drew a great deal of international attention that would impact Namibia once they gained freedom.

⁶⁹ Meredith. *The Fate of Africa: A History of the Continent Since Independence*, 145.

⁷⁰ Meredith. *The Fate of Africa: A History of the Continent Since Independence*, 176.

⁷¹ Geingob, 3.

⁷² Mandela.

⁷³ Ibid.

⁷⁴ Geingob, 75.

⁷⁵ Ibid., 110.

Racism as a Tool

Racism has existed for millennia but very rarely in a vacuum. In the context of Sub-Saharan Africa, racism was viewed and utilized as a tool for suppression of indigenous peoples.⁷⁶ African groups, prior to European involvement, did not get along and were often fighting with one another for resources, land, and pride.⁷⁷ Apartheid, for instance, utilized multiple laws that prevented native Africans from marrying outside of their race, owning land, and even the amount of education that they could receive.⁷⁸ These limitations existed beyond apartheid in South Africa and Namibia, and limited the process of development in many ways, including land ownership and access to health care in the twentieth century.

Many conflicts that arose between the colonizer and the colonized was a result of racial prejudice. Europeans entered the continent with the notion that they were superior in every way imaginable and that it was their duty to use the resources and to guide the native Africans into the modern world. One argument that Blattman makes is that war is inseparable from development in Sub-Saharan Africa.⁷⁹ Conflict, especially in terms of colonization, was typically racial in origin. When a colonizer implemented restrictions to everyday life and introduced labor camps to extract resources, conflict was bound to arise, which caused a drain on the economy.⁸⁰

⁷⁶ Nancy J Jacobs. *African History through Sources. Colonial Contexts and Everyday Experiences, c. 1850-1946*. Cambridge: Cambridge University Press, 2014.

⁷⁷ Meredith. *The Fortunes of Africa: a 5000-Year History of Wealth, Greed, and Endeavour*.

⁷⁸ Noël Mostert. *Frontiers: the Epic of South Africa's Creation and the Tragedy of the Xhosa People*. London: Pimlico, 1993.

⁷⁹ Christopher Blattman (2010) Post-conflict recovery in Africa; The micro level. In Ernest Aryeetey, Devarajan S, Kanbur R, and Kasekende L. Vol. 11, Issue 1, June 2015, 1-16(Eds.), Oxford companion to the economics of Africa. Oxford: Oxford University Press.

⁸⁰ Blattman.

Self-Interest

Self-interest is a common belief in the development of Sub-Saharan African countries.⁸¹ As years passed, the newly formed nations viewed the events that unfolded across the continent and tracked progress, analyzing what did and did not work for each nation. The idea of self-interest in the context of a nation emerged in the post-World War II years.⁸² After understanding that the United Nations were not necessarily on their side and not being able to safely turn to the Soviet Union for support, the idea of self-interest or self-reliance gained popularity as a political ideology across Africa.⁸³ Nations that gained their independence in the early years following World War II were able to take advantage of the post-war economies. The prices of products such as cocoa soared, and nations like Ghana no longer had a maximum limit on the products that could be produced.⁸⁴

In the case of Ghana, Britain was no longer controlling the supply and demand of the colony's resources, and they were able to produce as much product as they wanted.⁸⁵ Business was booming, and for much of Sub-Saharan Africa, independence was economically profitable at the beginning. This was short-lived as the boom-bust cycle of the global economy made its way onto the African continent, and soon after, prices fell, unemployment was on the rise, and the general population began to question the direction the nations were going in.⁸⁶ For example, Nkrumah developed policies to create a cocoa reserve to help maintain the prices of cocoa, in an effort to protect their largest export industry, as well as the individual farmers.⁸⁷ Ghana had been

⁸¹ Geingob.

⁸² Ibid..

⁸³ Meredith. *The Fate of Africa: A History of the Continent Since Independence*, 144.

⁸⁴ Marcella Vigneri and Shashi Kolavalli, "Growth through Pricing Policy: The Case of Cocoa in Ghana," accessed December 1, 2020, <http://www.fao.org/3/I8329EN/i8329en.pdf>.

⁸⁵ Vigneri and Kolavalli.

⁸⁶ Meredith. *The Fate of Africa: A History of the Continent Since Independence*, 126.

⁸⁷ Vigneri and Kolavalli.

almost exclusively dependent on the price of cocoa for their economy until the recent discovery of offshore oil.⁸⁸ Even today, Ghana and many other nations are attempting to expand on their products and services to enhance their Gross Domestic Product (GDP).⁸⁹

Namibia is a case that is very similar and relies on the export of diamonds, gems, and other extracted minerals for a vast majority of their nation's wealth.⁹⁰ Social reforms have been enacted since independence which helped those living under the national poverty line, however, this has not necessarily turned into job creation as of yet. The structural change theory is an economic development theory that states countries in the developing category should make efforts to diversify products and services to maintain a healthy level of growth.⁹¹

Gaging nation-state development of a modern country is difficult. Several ways exist, ranging from economic indicators like Gross Domestic Product (GDP) to social concepts such as human rights measures.⁹² In the scholarly literature, several definitions exist, but perhaps the most widely accepted describes development as "the process of improving the quality of all human lives and capabilities by raising people's levels of living, self-esteem, and freedom".⁹³ This paper uses this definition as a guide to determine how colonization and independence movements affected overall development and to foresee where the future lies for Sub-Saharan Africa, particularly in the case Namibia.

The case of Namibia and its development since independence is very unique. Although the South African experience and the Namibian experience are often intertwined, each country

⁸⁸ Ibid.

⁸⁹ Ibid.

⁹⁰ The World Bank, "Overview." *The World Bank in Namibia*. Accessed December 1, 2020.
<https://www.worldbank.org/en/country/namibia/overview>.

⁹¹ Michael P. Todaro and Stephen C. Smith. *Economic Development*. Harlow, England: Pearson Education Limited, 2015, 7.

⁹² Ibid.

⁹³ Ibid.

advocated for different goals and prospects from each other. The Namibian people are resilient, overcoming the worst colonization could offer, and now blazing their own path toward advanced development as a nation. The aspects of colonialism, systematic racism, lack of international representation, and social reform have all cemented the path to Namibian development.

Methodology and Data

Modern-day Namibia is a country of about 2.5 million residents and is situated along the South Western portion of Africa.⁹⁴ Namibia borders Zambia, Angola, South Africa, and Botswana.⁹⁵ Most of the country is located in the Kalahari desert and is the driest country in Sub-Saharan Africa, with the largest city being its capital, Windhoek.⁹⁶ Throughout Namibian history, since Bartolomeu Dias sailed around the Cape of Good Hope in 1486, Walvis Bay has been a strategic port which has been highly contested over the centuries.⁹⁷ Walvis Bay is the last deep harbor before making it to the other side of the Cape and has been occupied for this such reason.⁹⁸

The Ovaherero (Herero) and Namaqua (Nama) groups were the largest, most influential and powerful groups in the area in the nineteenth century.⁹⁹ Each of these two groups have various sub-tribes, as a result of the pervious expansion out of Equatorial Eastern Africa, approximately in the sixteenth century. Some of the sub-tribes for the Herero are the Himba, Tjimba (Cimba), Mbanderu, and Kwandu, while some of the sub-tribes for the Nama include the

⁹⁴ *World Bank in Namibia*.

⁹⁵ *Ibid*.

⁹⁶ *Ibid*.

⁹⁷ “Bartolomeu Dias,” Bartolomeu Dias | South African History Online, accessed December 1, 2020, <https://www.sahistory.org.za/people/bartolomeu-dia>

⁹⁸ Graham Evans, “Walvis Bay: South Africa, Namibia and the Question of Sovereignty,” *International Affairs* 66, no. 3 (1990): pp. 559-568, <https://doi.org/10.2307/2623074>.

⁹⁹ Casper Erichsen, “German-Herero Conflict of 1904–07,” *Encyclopædia Britannica* (Encyclopædia Britannica, inc., January 5, 2020), <https://www.britannica.com/topic/German-Herero-conflict-of-1904-1907>.

Khoikhoi, Orlam, and the San people. Each of the sub-tribes share a similar culture and speak the same language as the parent tribe with varying dialects in some cases.

A case study was chosen to analyze various colonial policies, international influences, and general Namibian history to examine the unique experience that has led to the modern development of Namibia. Literature on Namibia and its direct connections to German policy and apartheid policies are limited. Many of the studies and research have focused on South Africa and their experience under British colonialism and apartheid. Moreover, data from the pre-German colonialism as well as sources from throughout German rule is sparse.

The Case of Namibia

During the early and mid-nineteenth century, a militarization of various indigenous groups appeared, which served as the backbone for the Colonial War of 1904-1908 as well as set up the infrastructure that made the colony valuable later in the century.¹⁰⁰ Preceding the eighteenth and nineteenth century, there is little evidence to suggest any form of a unified central government for the Herero or the Nama people.¹⁰¹ Both groups were hunter-gatherers with basic farming and herding techniques available to them.¹⁰² As a result of their early nomadic lifestyle, much of the Namibian economy was based on pastoralization and amassing herds of cattle.¹⁰³

Pre-Colonial History

Beginning in 1830, the Orlam hegemony was created in the Nama territory, or Central Namibia, and was unified by Jonker Afrikaner.¹⁰⁴ The Orlam hegemony was started with members of the Khoikhoi and expanded to include runaway slaves, mixed race individuals,

¹⁰⁰ Hamrick E, Duschinski H. Enduring injustice: Memory politics and Namibia's genocide reparations movement. *Memory Studies*. 2018;11(4):437-454. doi:10.1177/1750698017693668.

¹⁰¹ Zimmerer, Zeller, and Neather.

¹⁰² Ibid.

¹⁰³ Ibid., 7.

¹⁰⁴ Ibid., 42.

among others who simply wanted to join their ranks.¹⁰⁵ They acted as pirates, riding armed on horseback on the frontiers in the areas from Central Namibia to the Cape Colony, raiding various targets.¹⁰⁶ The targets included European traders, Christian missionaries, and Herero lands.

By 1840, Jonker Afrikaner gained control of the entire area of Central Namibia. With the help of two Herero vassals, Kahitjene and Tjamuaha, they were able to provide protection with the Herero groups in exchange for paid tributes. In order to collect the tributes from such a vast and rural territory, trade routes were established which connected the European traders, hunters, missionaries, along with indigenous groups across Central Namibia.¹⁰⁷ The Herero people were harmed the most, economically and socially, by the actions of the Orlam hegemony under Jonker Afrikaner.¹⁰⁸ This collection of trade routes created access for more control over the communication path between Namibia and the Cape Colony, paving the way for the Germans to utilize these routes once they occupied the territory.¹⁰⁹

By 1860, the Orlam hegemony began to decline, and in 1861, Jonker Afrikaner died.¹¹⁰ With the death of Jonker Afrikaner, there was a shift in power and the Nama people became the losing side. The Herero entered into their “Golden Age”, with the rise of big game hunters traveling from Europe for sport, amassing immense cattle herds, as well as placing a greater emphasis on trade.¹¹¹ The “War of Freedom” began in 1863, and the balance of power shifted in the direction of the Herero nation. Maharero was a chief of the Herero people and quickly gained control of the Orlam hegemony following the death of Jonker Afrikaner.¹¹² Maharero was able to

¹⁰⁵ Ibid., 10-11.

¹⁰⁶ Ibid., 12.

¹⁰⁷ Ibid.

¹⁰⁸ Ibid.

¹⁰⁹ Ibid., 16.

¹¹⁰ Ibid., 13.

¹¹¹ Ibid., 5.

¹¹² Ibid., 11.

establish control due to a policy of forming alliances that included other Herero chiefs, Nama chiefs, missionaries, and traders. Re-pastoralization occurred, with the Herero people gaining wealth through cattle breeding, trading, and farming.¹¹³ Cattle served as a cornerstone of their culture into the modern age.

Rinderpest and the German Solution

The rise and fall of the Orlam hegemony set up the social structure of indigenous groups as well as the trade infrastructure that the German colonists would view as beneficial later in the century. Moving with this new authority into the 1860's, the Herero chiefs viewed sending their children to missionary schools as a positive status symbol.¹¹⁴ Relations with European powers were neutral until this point in history of the Herero and the Nama. Life remained, more or less, unchanged until 1885 with the formal colonization by the Germans.¹¹⁵

In 1896, a cattle plague (the Rinderpest) devastated the pastoral economy, with an estimated 95% of cattle dying.¹¹⁶ In turn, the economy collapsed, the debts of the Herero people and other groups went unpaid. Many individuals suffered from eating diseased meat and drinking water that was contaminated with sickened animal corpses.¹¹⁷ Thousands succumbed to the plague, which significantly weakened the Herero and Nama tribes' ability to defend themselves as German colonization began to become more deeply rooted.

In order to keep the diseased cattle contained, red lines and police zones were created from 1897-1898.¹¹⁸ The goal of these lines, zones, and laws were to keep the European settler

¹¹³ Ibid., 6.

¹¹⁴ Ibid., 20.

¹¹⁵ Ibid., 26.

¹¹⁶ John Heydinger, "'Vermin': Predator Eradication as an Expression of White Supremacy in Colonial Namibia, 1921–1952," *Journal of Southern African Studies* 46, no. 1 (February 2020): pp. 91-108, <https://doi.org/10.1080/03057070.2020.1708011>.

¹¹⁷ Zimmerer, Zeller, and Neather, 43.

¹¹⁸ Heydinger, 94.

population safe while the African cattle population was quarantined. The policy of land occupation and distribution by the Germans favored white landowners and stripped the African population of their native grazing grounds.¹¹⁹ The Herero and others who herded cattle in Central and Southern Namibia never got their land back. These zones restricted the movement of the Namibian population, forcing a type of segregation to keep the Africans of the interior away from newly claimed German lands.¹²⁰ The collapse of the Herero and pastoral economy along with the removal of their land created the first tensions between the Herero and the German colonial administration.¹²¹ Another law was applied which removed all weapons from those pastoralists in the police zones.¹²² By disarming the general population, they were not able to protect their livestock from natural predators such as lions and wild dogs. White settlers were able to maintain their weapons, furthering hostility between the African pastoralists and the German administration.¹²³

Herero and Nama Genocide

The history of the twentieth century is occupied by wars of the like never seen before or since. The conquest of European powers against their colonies and each other is unmatched. It is only suiting that the German occupation and war with the Herero from 1904-1908 would be one of annihilation and suppression of any hope of resistance of the people of central Namibia.¹²⁴ The war began in a typical fashion with sub-tribes of the Herero and Nama resisting German rule on a small scale.¹²⁵ The German reaction was not equal in the force to which they encountered. German direct rule intended to maintain peace through suppression and fear. Any local groups

¹¹⁹ Ibid., 93.

¹²⁰ Ibid., 94.

¹²¹ Zimmerer, Zeller, and Neather, 44-58.

¹²² Heydinger, 105.

¹²³ Heydinger, 105.

¹²⁴ Hamrick & Duschinski, 441.

¹²⁵ Zimmerer, Zeller, and Neather, 44-58.

that questioned the authority or rebelled in any manner had an example made of them. Germany did attempt to avoid a formal conflict, as a war raging literally a world away would be costly in price, resources, and human capital. Administrators in the German colonial authority desired to avoid a conflict by any means necessary.

Governor Leutwein was the colonial administrator of German South West Africa.¹²⁶ He had gained control, through force or negotiations, over the main leaders of the Nama, Hendrik Witbooi, and the Herero, Samuel Maharero.¹²⁷ Leutwein approved Witbooi and Maharero to appear to be in control and allowed the local individuals to believe that the tribal leaders were in power.¹²⁸ These actions were what made Germany a unique colonizer. They maintained control through force and direct actions of rule, but they situated a proxy government in the way that the British did with indirect rule.¹²⁹ The hope with this method is that the general African population would be naïve to the actual ruling authority. In practice, the system created by the Germans to promote peace and maintain order, with the acceptance of the new ruler by the indigenous people, was a fantasy at best. Moreover, the German goal was to establish a settler colony in German South-West Africa and would constantly face conflict with the indigenous population.

Beginning on January 12, 1904, the stories began to circulate in the German camps of the Herero rebellion, which included the murder of German men, women, and children, in the wake of a skirmish that left 123 Germans dead or wounded.¹³⁰ At this time, the Herero orders from chiefs aimed to spare women, children and missionaries from the conflict. There is no solid

¹²⁶ Jakob Zollmann, "Communicating Colonial Order: The Police of German South-West-Africa (c. 1894-1915)," *Crime, History & Societies* 15, no. 1 (January 2011): pp. 33-57, <https://doi.org/10.4000/chs.1240>.

¹²⁷ Horst Drechsler, *Let Us Die Fighting the Struggle of the Herero and Nama against German Imperialism (1884 – 1915)* (Berlin: Akademie-Verlag, 1986).

¹²⁸ Adam A Blackler, "From Boondoggle to Settlement Colony: Hendrik Witbooi and the Evolution of Germany's Imperial Project in Southwest Africa, 1884–1894," *Central European History* 50, no. 4 (2017): 449–70. doi:10.1017/S0008938917000887.

¹²⁹ Moyd.

¹³⁰ Zimmerer, Zeller, and Neather, 42.

literature that defines who fired the first shot. Only a few days after the incident, the Herero gained control of Central Namibia and began appropriating settlements and farms to stockpile supplies for the ensuing conflict.¹³¹ War would rage between the unifying tribes of Namibia and German colonial troops. By May 1904, Leutwein and German soldiers wanted revenge for the loss of German life resulting from the conflict thus far.¹³² Leutwein knew that a war with the Herero people would be expensive, time-consuming, and impractical. Therefore, he implemented a “take no prisoner” policy and produced direct orders to “not act with particular mercy”.¹³³ The objective of this conflict was to fight a quick war that would leave the Herero “politically dead” with little to no operating political or social organization.¹³⁴ With this goal in mind, not only were the Herero and Nama slaughtered by the end of the war, but their entire way of life was removed, hindering their potential to grow and expand into the global community once independence was possible.¹³⁵

Lieutenant-General Lothar von Trotha took over military operations in German South-West Africa once the Kaiser heard of the Herero rebellion.¹³⁶ He led military operations in the colony until his recall to Germany in November 1905.¹³⁷ Von Trotha had an unmistakable reputation for brutality as well as achieving results in the German colonies, including a stint in German East Africa from 1884-1889 and China in 1900.¹³⁸ The conflict expanded, and von

¹³¹ Ibid., 43.

¹³² Ibid., 44.

¹³³ Ibid.

¹³⁴ Ibid., 45.

¹³⁵ Ibid., 45.

¹³⁶ Gewalt, Jan-Bart. "The Great General of the Kaiser." *Botswana Notes and Records* 26 (1994): 67-76. Accessed December 16, 2020. <http://www.jstor.org/stable/40959182>.

¹³⁷ Zimmerer, Zeller, and Neather, 46.

¹³⁸ Gewalt.

Trotha saw this as a war between races and believed that Africans as a whole would only submit to outside rule if excessive force was used.¹³⁹

The Battle of Waterberg on August 11, 1904 showed the nature of combat in the German colonies.¹⁴⁰ The men of the Herero tribe met the Germans on the battlefield with the expectation to negotiate a treaty between the two groups. Herero women, children, and cattle were accompanying the men on this undertaking.¹⁴¹ However, the Germans possessed no plans to sign a treaty with the Herero.¹⁴² German soldiers fired shots at the Herero men, killing men on the battlefield, but they began to fire into the group of women, children, and cattle, forcing them to scatter to the East into the desert.¹⁴³ In October of 1904, von Trotha ordered specific extermination orders against the Herero.¹⁴⁴ In effect, this marked the end of the war and the beginning of the genocide of the Herero people. German conquest in this manner consisted of not only killing the men of the Herero tribe but also occupying watering holes, forcing the elderly, women, children, and livestock to die of thirst.¹⁴⁵ Many Herero people turned to killing their animals to drink their blood, in hopes of surviving until water could be secured.¹⁴⁶ After several months of forcing the Herero people into the desert, those that did not die of thirst were captured and forced into concentration camps.¹⁴⁷

These concentration camps differed significantly from the prisoner of war camps seen in Europe. The prisoner of war camps in Europe did not allow for women, the elderly, and children

¹³⁹ Zimmerer, Zeller, and Neather, 46.

¹⁴⁰ Ibid., 47.

¹⁴¹ Ibid.

¹⁴² Ibid., 48.

¹⁴³ Ibid., 48-49.

¹⁴⁴ Drechsler.

¹⁴⁵ Zimmerer, Zeller, and Neather, 49.

¹⁴⁶ Ibid.

¹⁴⁷ Ibid.

and did not typically require forced labor.¹⁴⁸ The Herero were forced into these camps, and they were not officially released until January 27, 1908, even though the German Department of Colonial Affairs ruled that the war was over on March 31, 1907.¹⁴⁹ An estimated eighty percent of the Herero perished, and sixty percent of the Nama perished as a result of this conflict. The fear of dying of thirst in the desert or of working to death in a concentration camp was used as a deterrent to discourage others from rebelling. The Nama people began to use guerilla tactics against the German occupiers.¹⁵⁰ They learned from some of the mistakes that the Herero made on the battlefield and avoided a head-on conflict with the German military.¹⁵¹

The war of annihilation did not end with simply killing off as many Herero as possible, but it ruined any possibility of rebuilding as well. Using terror as a weapon during this conflict worked to keep other groups from unifying against the Germans.¹⁵² Dying of thirst and of exhaustion discouraged the likelihood of rebellion. Zimmer and Zeller make a point that the Germans were trying to engrain a new system of rule through fear. The German philosophy was that combat on a battlefield has a limited impression, as it may be forgotten, but the memory of suffering will be remembered through the collective memory of the Herero for generations, securing German rule for decades to come.¹⁵³ The German Department of Colonial Affairs really believed that the colony was established as a resource of profit for the following generations. Moreover, removing any form of economy or social structure kept the Herero from reunifying or merging with other groups against German rule.

¹⁴⁸ Klaus Bachmann, *Genocidal Empires: German Colonialism in Africa and the Third Reich* (Berlin: Peter Lang, 2018).

¹⁴⁹ Rachel J. Anderson, "Redressing Colonial Genocide: The Hereros' Cause of Action Against Germany" (2005). *Scholarly Works*. Paper 288. <http://scholars.law.unlv.edu/facpub/288>.

¹⁵⁰ Zimmerer, Zeller, and Neather, 51.

¹⁵¹ Ibid.

¹⁵² Ibid.

¹⁵³ Hamrick & Duschinski.

Several laws were implemented during the war with the Herero including three Native Ordinance laws and another on interracial marriages.¹⁵⁴ The Native Ordinance laws of 1907 created a system that accepted German norms based on racial privilege and created an adjusted version of serfdom in the labor markets.¹⁵⁵ Moreover, in June 1870 the “Law concerning the Acquisition and Loss of Citizenship of Confederation or State” allowed for children born in wedlock to have the citizenship of their father.¹⁵⁶ Initially, this law applied to all colonies and colonists, but it was reversed in 1903.¹⁵⁷ Marriages between white Germans and native Africans were therefore no longer legal and introduced a caste system based on race in which one cannot move up or down in. Additionally, numerous policies were put into place to take away land from the local African population.

Under New Management: South African Rule

From the beginning of German occupation in 1885 until its end in 1915, the Germans implemented many laws and policies that can still be seen as a hindrance to further modern development for Namibia. The removal of native lands was one of the most pervasive issues that continues to be a challenge for Namibia today. In 1913, white settlers owned 11,490,000 hectares of land compared to Africans only holding 317,243 hectares in 1920.¹⁵⁸ Today, settlements known as townships exist in both South Africa and Namibia, where Africans are forced to live several kilometers away from urban areas to minimize contact with them and the white landowners who live in the urban areas. Those individuals who do not live in townships may live in homelands with their family but are forced to leave for months at a time to accept contact

¹⁵⁴ Zimmerer, Zeller, and Neather, 58.

¹⁵⁵ Ibid.

¹⁵⁶ Ibid., 20.

¹⁵⁷ Ibid., 21.

¹⁵⁸ Heydinger, 95.

work in mines or as other general labors for private companies. The commute time and cost required to travel to nearby cities, as well as the far distance from one's family, hampers the career opportunities of Africans in the contemporary era. Land distribution in Namibia is extremely inequitable in the modern era, and there is no solution on the horizon to correct this.¹⁵⁹ The current system of land exchange back to Africans in Namibia is a "willing buyer, willing seller" method, where one buys land when it is for sale.¹⁶⁰ The issue with this system is that very few Africans have the monetary capacity to afford lands and even fewer white landowners are willing to sell their vast chunks of land away. German occupation implemented many laws to segregate, disarm, and obliterate the people of the country, but few other colonial policies had as much of a legacy on the development of Namibia as the creation of the red lines and police zones.

Once World War I was underway, the self-governing colony of South Africa took control of German South West Africa in 1915. The German policies and laws were left intact as it was seen that they were working to maintain order. South African occupation accepted the South West Africa territory as an additional province and was still held to the same laws as those in South Africa. Life under South African control remained similar to that of German occupation until 1948 when apartheid was implemented.

The Apartheid Regime

Apartheid is infamous as a system of racial segregation, submission, and harsh order of those subject to it. The system was purely a racial tool to maintain control. Africans under apartheid could not own land or marry outside of their categorized racial group.¹⁶¹ Even though

¹⁵⁹ Hamrick & Duschinski, 441.

¹⁶⁰ Adekoye, 106.

¹⁶¹ Worger, Clark, and Alpers, 101.

apartheid was instituted in South Africa, it is considered to be a form of colonization by a white settler, ruling class.¹⁶² South Africa may not have been a faraway mother nation, but control was placed over the Namibian indigenous populace, with the people and resources exploited for the purpose of generating a profit for a small percentage of the population. The apartheid experience is often viewed and recorded through the administrators and Africans of South Africa, and the Namibian experience is lumped into this.¹⁶³ However, Africans in both Namibia and South Africa had a common enemy in apartheid, and both sought to bring an end to the system. The two nations did not work together early on and thus developed separate political systems to combat apartheid, which led to the eventual separation of the two countries once independence was granted.

Underground political movements arose across the South African territory, ranging from beliefs on how Africans should live to how they should regain control of their country. The African National Congress (ANC) is the most popular of the political regimes that took hold. Being the party of Mandela, the ANC has had a lasting importance throughout the development of South Africa as well as that of Namibia.¹⁶⁴ The most prominent political party in Namibia was the South West African People's Organization (SWAPO), which advocated for an independent state.¹⁶⁵ Although both the ANC and SWAPO had a common goal, there was very little cooperation between the two parties to gain independence, which would lead to social tensions between the two nations in the post-independence years. Both of these political parties still hold a majority of the power in their respective nations today.

¹⁶² Ibid., 101-106.

¹⁶³ Chris Saunders, (2016) South Africa and Namibia: Aspects of a relationship, historical and contemporary, *South African Journal of International Affairs*, 23:3, 347-364, DOI: 10.1080/10220461.2016.1243073

¹⁶⁴ Mandela.

¹⁶⁵ Geingob, 75.

The formation of the ANC and SWAPO were produced as a result of apartheid, but their policies, ideology, and support differed greatly. SWAPO was founded in 1960, almost 50 years after that of the ANC, as a primarily nationalist movement seeking the independence of Namibia.¹⁶⁶ Namibians viewed that the ANC was only looking out for the area that makes up modern day South Africa and feared that they could gain independence without bringing Namibia along. This fear is what led to the formation of SWAPO to fight apartheid in Namibia and operated as a resistance movement. A military wing formed known as the People's Liberation Army of Namibia (PLAN), which used guerrilla tactics against the brutality of the apartheid police and military structure.¹⁶⁷ The ANC did not retain a military wing that made any significant advancements to their cause. PLAN was far more successful due to their Soviet-backed Angolan alliance. The Movement for the Liberations of Angola (MPLA) was one of PLAN's largest supporters.¹⁶⁸ Additionally, Cuba sent approximately 350,000 troops to support PLAN, MPLA, and other leftist movements on the African continent.¹⁶⁹ Soldiers of both PLAN and MPLA received training from Soviet Union military forces. PLAN fought for liberation from South Africa, as opposed to the ANC looking to gain equality in a new inclusive society. As Namibia would gain independence, it maintained closed relations with Russia and former Soviet allies.

Independence and International Attention

With the successes of PLAN, SWAPO was able to gain attention on the international stage and was able to gain status and support from the United Nations as a resistance movement. The ANC was envious of this, even though they had more connections, tenure, and

¹⁶⁶ Saunders, 349.

¹⁶⁷ Ibid.

¹⁶⁸ Ibid.

¹⁶⁹ Ibid.

sophistication as an organization. With the support and international pressure applied by the United Nations, Namibia was granted independence from South Africa in 1988.¹⁷⁰ The process began, and in 1989, the United Nations officiated the first democratic election in Namibia. It would not be until 1994 that South Africa would have a democratic election. In the years between the first South African and Namibian elections, tensions between the two nations grew.

Ties between Namibia and South Africa are an essential part of their economies due to their proximity to each other. The ANC established an embassy similar to the one South Africa itself created in Windhoek in the wake of Namibian independence. Dialogue between the ANC and Namibia were fashioned as well as negotiations with South Africa, still under the apartheid regime, at the same time. In June 1990, Namibia joined the South African Customs Union (SACU), which was created in 1910 when South Africa became self-governing and is controlled mostly by South Africa today.¹⁷¹ Namibia began its tenure in the SACU by advocating for a greater share of its wealth for itself as well as for other members that included Botswana, Lesotho, and Swaziland. This caused an even greater rift between the governments of South Africa and Namibia.

In the early years of independence, Namibia's economic value was based on that of South Africa. In 1993, Namibia introduced its own currency, the Namibian Dollar.¹⁷² This currency was their own, but it was attached to the value of the South African Rand instead of to itself. With a currency established, the question arose of what Namibia would do about its colonial debts? Namibia knew that it could not decline to pay the debt since that would hurt their international credit standing and possibly scare investors. South Africa claimed the area of

¹⁷⁰ Ibid., 350.

¹⁷¹ Ibid.

¹⁷² Ibid., 349.

Walvis Bay, the only deep-water harbor on that side of the territory and would do so until 1994. The United Nations Security Council Resolution of 1978 had established Walvis Bay as a part of the Namibian territory, and Namibia used this Resolution in their constitution in 1990 to claim the territory.¹⁷³ From 1990 until 1994, both countries laid claim to Walvis Bay, furthering strains on their neighboring relationship. The bickering between the two nations went as far as South Africa attempting to stall an auto manufacturer from constructing a factory in Namibia to prevent competition.

Though South Africa and Namibia share a more friendly relationship today, this was not always the case. Apartheid policies and vindictiveness only prolonged the development of Namibia even after independence had been granted. Much of the success of Namibia gaining independence and advancing thereafter was due to United Nations mediation and support.

The legacies of apartheid and German rule still have an impact on the healing of the people of Namibia. German rule destroyed the traditional way of life for many indigenous people and all but eradicated the Herero and the Nama groups altogether. Cattle herds were killed, native lands were taken away and never returned, and laws were implemented to create a society based on racial injustice that still impacts the inequality of its citizens today. Through the collective memory of the Namibian people, the country has applied for reparations against the German government as well as from private institutions that exploited the people, land, resources, and history Namibia.¹⁷⁴ Despite obstacles to achieve recognition of war crimes and

¹⁷³ Stephanie Quinn. "Infrastructure, Ethnicity, and Political Mobilization In Namibia, 1946–87." *The Journal of African History* 61, no. 1 (2020): 45–66. doi:10.1017/S0021853720000031.

¹⁷⁴ Jeremy Sarkin and Carly Fowler. "Reparations for Historical Human Rights Violations: The International and Historical Dimensions of the Alien Torts Claims Act Genocide Case of the Herero of Namibia." *Human Rights Review* 9, no. 3 (2008): 331–60.

atrocities, in 2004 the German Development Aid Minister offered acknowledgement of the genocide and Von Trotha's family apologized to the descendants of the war's survivors.¹⁷⁵

Conclusion

The Namibian experience is filled with a distinctive history that has led to where the nation is today, economically, politically, and socially. From the Orlam hegemony taking control of the territory to independence in 1990, numerous events have influenced the direction of Namibian development, but none have influenced the direction more than German colonization and apartheid era suppression. While many other Sub-Saharan African countries experience one form of colonialism at most, Namibia was subject to three types of colonial rule. Once Namibia gained independence, not only did they have to overcome their own internal obstacles, but they were required to cooperate with South Africa's apartheid regime, who did not let go of the animosity of the dismantling of their own nation's territory. Overcoming the legacy of colonialism is the way forward, to improve racial inequalities and generate opportunities for Namibia's citizens.

Compared to Namibia's neighbors, Botswana, South Africa, Lesotho, and Swaziland, the experience of German colonial rule had the most significant impact. While the others were under British rule solely, until the era of apartheid, Namibia suffered along with South Africa, Lesotho, and Swaziland. German rule implemented laws that restricted native movement, removed native homelands, and ended native political and social structure.¹⁷⁶ Moreover, German rule resulted in the mass extermination of the two largest ethnic groups at the time. None of Namibia's neighbors experienced such a fate. The impact of the war crimes and atrocities

¹⁷⁵ Hamrick & Duschinski.

¹⁷⁶ Drechsler.

committed by the German colonial military is difficult to quantify. Namibia was rare in its experience on the continent as it suffered through German rule before being absorbed by South Africa.

Once South West Africa was seized by South Africa in 1915, a new administration took over. This administration implemented its own rules and codes in addition to retaining the German policies already in place.¹⁷⁷ Not only did Namibia lose lands to white settlers during the Rinderpest epidemic, but South Africa also imposed its own Native Lands Acts on the territory along with other laws that subdued the general population of Namibia further.¹⁷⁸ The year 1948 marked when apartheid was formally established.

The apartheid racial segregation system used laws and regulations based on race to maintain control of the general population in Namibia and South Africa. These laws encompass nearly every aspect of life from marriage, habitation, education, curfews, and job opportunities just to list a few. By outlawing nearly every aspect of life, the apartheid regime was able to arrest, torture, and relocate individuals as the police saw fit. Although both Namibia and South Africa suffered under apartheid, each had their own agenda for independence.

Political parties formed during the twentieth century in Namibia and South Africa with the hope of racial inclusion and independence. Each nation took a different approach which resulted in diverse outcomes that affected the path of advancement and development. Namibia's experience is unique in terms of differing from South Africa's, but it also differs in many ways than that of other independence movements on the continent. When comparing Namibia's trail to independence, it is filled with United Nations support and outside military backing early on. Looking back at Ghana's route to official independence as a peaceful declaration, there was little

¹⁷⁷ Heydinger, 95.

¹⁷⁸ Worger, Clark, and Alpers, 31.

to no violence and began as a peaceful transition. Similar to that of the Congo, little to no violence occurred at the beginning of the independence movement, yet this would change with the involvement of Belgian-backed rebels in the civil war that followed. Namibia formed the SWAPO political party, which in turn created PLAN as the military wing of the movement for independence. As early as 1975, PLAN was using its military forces to fight for liberation with the backing of Angola's resistance organization, Cuban soldiers, and Soviet resources.¹⁷⁹ From the beginning, SWAPO believed that independence under apartheid would not be possible without conflict. As a nationalist movement, PLAN and SWAPO were able to gain the attention of the United Nations early on in their endeavor for liberation.

The backing of so many foreign nations and organizations is unique in the history of independence movements in the contemporary era of African history. Many other Sub-Saharan Nations failed to gain international support in the early years of development. One possible explanation for this could be that since most of the continent had obtained independence by the time Namibia was able to gain recognition on the international stage, holding on to colonies was frowned upon by the developed world.

The rise of SWAPO in Namibia is no surprise under a regime as unforgiving as apartheid, but its rise to power as a nationalist movement with socialism as its key principle is surprising. The Western world typically opposed the emergence of political parties with Soviet connections and socialist ideals during the Cold War era, and in the case of Patrice Lumumba, he lost his life over his attempts to seek help from the Soviets.¹⁸⁰ SWAPO remains a political party that claims to practice socialism. Early independence leaders in Sub-Saharan Africa subscribed to the idea of Pan-Africanism or a united Africa. The early leaders of SWAPO such as the first Prime Minister

¹⁷⁹ Saunders, 349.

¹⁸⁰ Nzongola-Ntalaja.

of Namibia, Geingob believed in a united Africa for Africans. The Pan-African ideology focuses on the belief that through unification and cooperation, the African nations can shake the effects of colonialism and further their overall development together.

As Namibia proceeds to grow and develop, a bright future lies ahead. Similar with any nation, Namibia has its own set of obstacles to overcome, but many were placed there as a result of various colonization practices. By diversifying its economic output and implementing social welfare programs, Namibia has been able to reduce those living under extreme poverty from 28.7 percent in 2009-2010 to only 17.4 percent in 2015-16.¹⁸¹ With the impact of COVID-19, that percentage of those living in extreme poverty is expected to rise to 18.9 percent in 2020-21.¹⁸² One main challenge that Namibia faces in the modern age is unemployment. In 2016, the unemployment rate was 34 percent, with a poor outlook for improvement.¹⁸³ Subsistence farming remains the most common profession of Namibians today. The legacy of colonization has distinctly impacted the path of development for Namibia in many ways and only time, proper leadership, and international support will allow Namibia to advance in a significant way.

¹⁸¹ “Overview.” World Bank. Accessed December 1, 2020.
<https://www.worldbank.org/en/country/namibia/overview>.

¹⁸² Ibid.

¹⁸³ Ibid.

The Current State of Education in South Africa and the Legacy of Apartheid

Introduction

The legacy of colonialism and the apartheid regime have embedded legislation and ideals that have hindered the advancement of the South African people. Education is considered to be the main influence of raising individuals out of poverty.¹⁸⁴ Inequality across the nation of South Africa, with regard to education, has impacted the opportunities for advancement of black South African citizens. A 2009 study conducted by Equal Education (EE), an organization aimed at making education accessible to all South Africans, found that 92 percent of South Africa's 24,793 schools did not have a functioning library and 46 percent of schools still utilized pit latrines instead of functioning toilets.¹⁸⁵ The inequality and access to education for all South Africans is a continuous problem facing the developing nation. The purpose of this paper is to examine the legacy of colonialism and apartheid in the current state of education in South Africa and to assess the contemporary policies utilized to improve the offering of education to South Africa as a whole. The primary focus of education is centered on the K–12 segment of public education in South Africa.

Multiple education systems have been implemented over the last century and a half, many of which aimed at keeping black South Africans from gaining education that would allow them to attain skilled labor positions. Of these systems, Bantu Education is the most prolific in

¹⁸⁴ Idrissa B Mshoro, "Reducing Poverty Through Education - and How," United Nations (United Nations), accessed March 9, 2021, <https://www.un.org/en/chronicle/article/reducing-poverty-through-education-and-how>.

¹⁸⁵ Eric Smalley, "Fighting for Equality in Education: Student Activism in Post-apartheid South Africa," accessed March 9, 2021, <https://ccnmtl.columbia.edu/projects/caseconsortium/casestudies/130/casestudy/>.; Joshua Maserow, *Taking Equal Education into the Classroom: the Challenges to Teaching and Learning, and Possible Campaigns to Address the Crisis of Quality and Equality in the Pedagogic Encounter* (South Africa: Equal Education, 2015).

achieving the goals of the Afrikaner nationalists.¹⁸⁶ The term Bantu refers to native Africans and has been used in many contexts throughout the twentieth century.¹⁸⁷ By limiting the education of black South Africans, the earning potential of these individuals is significantly hampered. It is understandable why black South Africans were poor and uneducated under the apartheid system, yet with 27 years since the fall of apartheid, why has the condition of these citizens not improved? The intention of this paper is to take a look at the historical consequences on education and to identify the major difficulties facing South Africa related to improving access to and the quality of education for all. This case study will provide a holistic view of the educational system of South Africa by assessing the historical factors, the institutional issues limiting the advancement of education, and the framework of the current educational system.

The fall of apartheid in South Africa occurred in 1994, a mere 27 years ago.¹⁸⁸ South Africa is considered to be one of the more economically advanced nations on the African continent. It is not a typical example for a post-independence nation, when compared to its counterparts, due to the late attainment of freedom from apartheid for all. The apartheid regime brought South Africa into the global market and established an economy for the modern era.¹⁸⁹ This makes South Africa a unique case, since it is considered to be a more developed country. Consequently, many laws have been passed to improve the quality of life of black South Africans, yet these laws have accomplished very few meaningful improvements overall. Black

¹⁸⁶ Matthew Anthony Gallo, "Bantu Education, and Its Living Educational and Socioeconomic Legacy in Apartheid and Post-Apartheid South Africa" (2020). Senior Theses. 43.
https://research.library.fordham.edu/international_senior/43

¹⁸⁷ Ibid.

¹⁸⁸ U.S. Department of State. U.S. Department of State. Accessed March 9, 2021.
<https://history.state.gov/milestones/1989-1992/apartheid>.

¹⁸⁹ Linda Chisholm. 2012. "Apartheid Education Legacies and New Directions in Post-Apartheid South Africa". *Storia Delle Donne* 8 (1), 81-103. <https://doi.org/10.13128/SDD-11892>.

South Africans have to work alongside their previous oppressors, demonstrating a distinctive circumstance to advance legislation to benefit poor black South Africans.

Some of the aspects of the South African education system, which require significant improvement in order to advance the nation include: a lack of skilled labor, limited and inequitable funding, and a lack of educational and career opportunities for the general population. These variables are examined in the context of how they each limit the accessibility of education of all South Africans.

The lack of skilled workers encompasses a variety of possible occupations and ultimately limits the job prospects of the overall population. In *Higher Education Financing in East and Southern Africa*, Jonathan Adongo states that the shortage of skilled labor is one of the principal hurdles to a nation's efforts in becoming a knowledge-based economy.¹⁹⁰ This restricts the potential economic growth of a developing nation. Many of the early policies and goals of the education system in South Africa were directed at maintaining the status quo and avoided educating black South Africans, in order to protect white interests.¹⁹¹ Additionally, this lack of skilled labor pours over into the education sector itself because there is a lack of teacher training programs.¹⁹²

South Africa is facing a severe teacher shortage.¹⁹³ Moreover, many of the existing teachers are not qualified to do so.¹⁹⁴ The lack of trained teachers results in many other problems such as poor execution of the provided state curriculum.

¹⁹⁰ Pundy Pillay and Jonathan Adongo, In *Higher Education Financing in East and Southern Africa* (Somerset West, South Africa: Published for CHET by African Minds, 2010), 123-152.

¹⁹¹ Gallo, 16.

¹⁹² Chisholm, 84.

¹⁹³ Gallo, 23.

¹⁹⁴ Ibid.

Funding is a crucial part of any institution. Schools in South Africa are often severely underfunded, leading to poor conditions for both the teachers and students. Many schools in South Africa do not have access to books, internet, proper bathrooms, running water, and even electricity.¹⁹⁵ These poor conditions result in lower student and teacher attendance and retention.¹⁹⁶

Education in South Africa is a broad topic filled with various historical accounts and contemporary analyses. In order to investigate the legacy of colonialism and apartheid on South African education, both primary and secondary sources from the apartheid and post-apartheid eras were used to support claims and assertions.

As with any undertaking, challenges in this work were met. Finding sources which discuss the direct connection between education and economic opportunity were limited. Also, many government and private organizations have been created to improve the state of education in South Africa and additional organizations have been implemented to monitor the existing educational organizations. Attempting to provide an exhaustive summary of each piece of legislation, government organization, private organization, movement, and beyond would be a monumental task which cannot be done in this work alone.

Literature Review

As with any state funded institution, various ideas take root on how to manage, fund, and expand those programs. Education is no exception, and there are many works with different approaches to correcting the inequality and quality of education in South Africa. Some sources that are examined make similar arguments and thus the most reoccurring themes are examined in this work.

¹⁹⁵ Smalley, 2.

¹⁹⁶ Ibid.

Linda Chisholm's work, "Apartheid Education Legacies and New Directions in Post-Apartheid South Africa" discusses the various failed attempts at reforming the current education system.¹⁹⁷ The present-day education system in South Africa is based on a centuries-old framework that is systemically engineered to favor white and coloured citizens. Chisholm argues that the only practical way to gain significant results in education equality is by creating an entirely new system.¹⁹⁸ A new system would provide a fair disbursement of national and provincial funding across the nation.

Another prevailing theory is to introduce new reforms in the existing education system to improve the conditions of all South Africans. Christie's writing, "Changing Regimes: Governmentality and Education Policy In Post-Apartheid South Africa" echoes this belief and makes several suggestions to further the successful implementation of reforms.¹⁹⁹ These reforms include equitable disbursement of funding, ensuring teachers are following the state-mandated curriculum, and other reforms to improve the general system.²⁰⁰ To ensure that educational reforms are instituted at the individual school level, organizations and committees would be created to ensure that the new procedures are followed in accordance to the program.

The final proposed solution is to introduce new social programs which train the behavior of recipients to improve education. Examples of such programs include conditional cash transfers (CCTs) and unconditional cash transfers (UCTs). Conditional cash transfers are programs that provide payment to participants when they meet certain conditions, whereas the receipt of unconditional cash transfers is not contingent on performing a particular behavior.²⁰¹

¹⁹⁷ Chisholm.

¹⁹⁸ Ibid.

¹⁹⁹ Pam Christie, "Changing Regimes: Governmentality and Education Policy in Post-Apartheid South Africa," *International Journal of Educational Development* 26, no. 4 (2006): 373-381. <https://doi.org/10.1016/j.ijedudev.2005.09.006>.

²⁰⁰ Christie, 377.

²⁰¹ Sarah Baird, Craig McIntosh, and Berk Ozler, "Cash or Condition? Evidence from a Cash Transfer

UCTs have been implemented in South Africa in the form of pensions for the elderly and child support grants to improve child education, health, and nutrition.²⁰² A recent study empirically assessed the success rates and outcome measures for each type of program in Malawi, another country in the Southern region of Africa, which could be considered as a possible solution for improving education in South Africa.²⁰³

Legacies of Apartheid and Colonialization

The earliest form of an emerging education system in the South African territory, which included Namibia, Lesotho, and Swaziland, were mission schools.²⁰⁴ Mission schools were created by missionaries to educate the indigenous population in the way of life of the Europeans. These schools allowed for black South Africans to gain a European-style education at the beginning of colonization. This style of education continued until Bantu Education took hold in 1953.²⁰⁵ In 1948, an estimated 90 percent of black South African students who were able to attend school were enrolled in mission schools.²⁰⁶ During the period that mission schools were dominant, access to education for the average black South African was very limited to say the least.

A key moment in South African history was the beginning of apartheid in 1948.²⁰⁷ Hendrik Frensch Verwoerd was considered to be the architect of the elaborate system of racial

Experiment,” *The Quarterly Journal of Economics* 126, no. 4 (2011): 1709-1753.
<https://doi.org/10.1093/qje/qjr032>.

²⁰² Ibid.

²⁰³ Ibid.

²⁰⁴ Christiane Hopfer. 1997. “Empowering Adult Education in Namibia and South Africa during and After Apartheid.” *International Review of Education / Internationale Zeitschrift Für Erziehungswissenschaft / Revue Internationale De L'education* 43 (1): 43–59.

²⁰⁵ Gallo, 21.

²⁰⁶ Smalley.

²⁰⁷ William H. Worger, Edward A. Alpers, and Nancy L. Clark, *Africa and the West: a Documentary History*, vol. 2 (Oxford: Oxford University Press, 2010).

segregation that was apartheid. In a 1950 address on the explanation of apartheid and its goals, Verwoerd stated:

“it will be appreciated why the Apartheid policy also takes an interest in suitable education for the Bantu. This, in fact, brings in its train the need for sufficiently competent Bantu in many spheres. The only and obvious reservation is that the Bantu will have to place his development and his knowledge exclusively at the services of his own people. Co-operation in implementing the Apartheid policy as described here is one of the greatest services the present leaders of the Bantu population can render his people. Instead of striving after vague chimeras and trying to be equal the European in an intermingled community with confused ideals and inevitable conflict, he can be a national figure helping to lead his own people along the road of peace and prosperity.” (pg. 105) ²⁰⁸

This quote exemplifies the education goal of the apartheid regime, which was not to allow black South Africans to pursue education that could challenge that of the white South Africans. Essentially, Verwoerd established the apartheid system to keep black South Africans from reaching into the white areas and crushing their hopes of doing so. This sentiment has been a prevailing theme in the education system until the end of apartheid in 1994 and even into the present day. A major, underlying goal of the early education system was to educate the black South Africans just enough to take orders and perform laborious tasks such as work in mines and fields, but not educate them enough to gain management positions.²⁰⁹ The Natives Land Act of 1913 actually banned native groups from owning land or mineral rights on their homelands.²¹⁰

Other laws followed, such as the Labour Acts of 1920, which banned natives from obtaining management positions at mine camps.²¹¹ The framework of the modern South African education system was created with the Bantu Education Act of 1953, which was based on the

²⁰⁸ Ibid, 105.

²⁰⁹ Timothy Curtin. "The Political Economy of Education in South Africa." *African Affairs* 92, no. 368 (1993): 417-30. Accessed March 9, 2021. <http://www.jstor.org/stable/723291>.

²¹⁰ Thomas Karis, Gwendolen Margaret Carter, and Gail M Gerhart. *From Protest to Challenge: A Documentary History of African Politics in South Africa, 1882-1990*. Hoover Institution Publications, 89, 122-123, 161. Stanford, California: Hoover Institution Press, 1972.

²¹¹ Hopper, 46.

ideals of the structure of apartheid. Bantu Education was the first to prioritize mass schooling for the general black South African population, however the institution was miserable in terms of funding, curriculum, and teacher/student retention.²¹² The lack of available classes to create a skilled labor force affected the number and quality of teachers. In 1961, a sheer 10 percent of black South African teachers possessed the equivalent of a high school diploma, and in 1967, the teacher student ratio was 58 to 1.²¹³ The poor training and overwhelming demands forced many teachers to leave or change occupations during this time. Even in the twenty-first century, these issues still plague a majority of South African schools.

Inequality in the education systems between the ethnic groups in South Africa, white, Indian/Asian, coloured, and black, became more apparent as time elapsed. Spending on black South African education dropped after the initial implementation of Bantu Education.²¹⁴ In 1953, only 14 percent was spent on black education compared to that of white children, and by 1968, spending on black education dropped to 6 percent.²¹⁵ By 1970, 79 percent of urban black South Africans and 93 percent of rural black South Africans had not finished standard six, or the American equivalent of sixth grade.²¹⁶ The year 1976 marked a turning point for the advancement of education in South Africa.²¹⁷ A “List of Grievances sent by the African Pupils to the Regional Director of Bantu Education in the Western Cape,” written by black South African students, was created because of the lack of opportunities to obtain skilled labor positions.²¹⁸ In June of 1976, a group of students and activists protested in Soweto, South Africa, a township on

²¹² Ibid.

²¹³ Smalley, 3.

²¹⁴ Ibid.

²¹⁵ Hermann Giliomee. “A Note on Bantu Education, 1953 to 1970.” *South African Journal of Economics* 77, no. 1 (2009): 190–98. <https://doi.org/10.1111/j.1813-6982.2009.01193.x>.

²¹⁶ Gallo, 21.

²¹⁷ *List of Grievances Sent by African Pupils to the Regional Director of Bantu Education in the Western Cape*. 1976. Accessed March 9, 2021. doi:10.2307/al.sff.document.mem19760928.032.009.795.

²¹⁸ Ibid.

the outskirts of Johannesburg.²¹⁹ An estimated 20,000 students took to the streets to protest the inequality and lack of access to education, but the movement was met with excessive police brutality.²²⁰ The official number of protesters murdered was 176, but some estimate the number to be closer to 700.²²¹

Bantu Education legally ended in 1979 and was replaced with the “Education and Training Act of 1979”.²²² The goal for the “Education and Training Act of 1979” was to monitor the quality of education and ensure wider access. A group was formed in 1981 called the Commission of Inquiry into Education, and its purpose was to observe the education system and make recommendations on its improvement within the framework of the existing system.²²³ This did little to improve education, as much of the recommendations were ignored or not funded. Even though Bantu Education was legally over, the legacy continued as the institution remained in the ways of affordability, curriculum, and future educational development.

The final step in attempting to advance education in South Africa was after the fall of apartheid in 1994. The South African Constitution in 1996 included free education for all as a human right, but this did not improve education itself.²²⁴ Several programs were created to redistribute wealth and educational opportunities, but unfortunately, these have not come to fruition. The South African Constitution officially created 12 grades, brought an end to Bantu Education and its curriculum, as well as ended segregation in schools.²²⁵ The “Reconstruction

²¹⁹ Ibid.

²²⁰ Hugh Dellios. “Soweto Riots Left Behind A Mixed Legacy.” *chicagotribune.com*, August 30, 2018.
<https://www.chicagotribune.com/news/ct-xpm-1996-06-16-9606160302-story.html>.

²²¹ Ibid.

²²² Bauer, P. “Bantu Education Act.” *Encyclopedia Britannica*, July 22, 2020.
<https://www.britannica.com/event/Bantu-Education-Act>.

²²³ Chisholm, 87.

²²⁴ “South Africa's Constitution of 1996 with Amendments through 2012.” Accessed March 9, 2021.
https://www.constituteproject.org/constitution/South_Africa_2012.pdf?lang=en.

²²⁵ Ibid.

and Development Programme” (RDP) as well as the “White Paper” in 1995 worked to reconstruct the entire education system, but due to a lack of funding and support, little change has been implemented.²²⁶ Student enrollment has increased since the end of apartheid, but the economic and educational situation in South Africa remains one of the most unequal in the world.

Namibia on Education

A brief mention of Namibia is important as this country shared a common past with the apartheid history of South Africa. However, early Namibia was colonized by the Germans, whereas South Africa was colonized by the Boers and later the British.²²⁷ Namibia gained independence, slightly before the fall of apartheid in South Africa, in 1990 with United Nations support. Both nations established their own unique governing bodies that led to their current level of development and educational attainment today.

Namibia’s resistance group during the years of apartheid, South West Africa People’s Organization (SWAPO) was a political organization fighting for independence in current day Namibia.²²⁸ SWAPO was socialist-backed and gained support from nations such as the Soviet Union, Cuba, and Angola. Modern Namibian politics are still dominantly ruled by the SWAPO party. Namibia has taken a different approach to education compared to South Africa which has shown some improvement. Social programs are a priority for the people of Namibia and attempting to pull individuals out of poverty have been the focus since independence. The World Bank estimates that in 2009-10, 28.7 percent of people were living below the national poverty

²²⁶ Christie, 378.

²²⁷ Michelle R. Moyd. *Violent Intermediaries: African Soldiers, Conquest, and Everyday Colonialism in German East Africa*. Athens: Ohio Univ. Press, 2014.

²²⁸ Hage Gottfried Geingob. *State Formation in Namibia: Promoting Democracy and Good Governance*. PhD thesis, University of Leeds, 2004, 3.

line in Namibia.²²⁹ By 2015-16, that number was reduced to 17.4 percent.²³⁰ One issue with analyzing Namibia's education plan is that little work has been done on the subject on the K-12 segment. Numerous resources exist for higher education, vocational schools, as well as adult education programs.

Lack of Developing Skilled Labor and Its Consequences

A strong and consistent education curriculum is critical for the advancement of any nation. Since the introduction of mass schooling in South Africa, a state-mandated curriculum has been established for each of the ethnic groups in the country.²³¹ White students studied more advanced topics to prepare them for higher education or vocational schools that would, in turn, propel them into careers suited to their education. Conversely, black South Africans suffered from a lack of training at all levels of the tiers of the education system.²³² Often times, black teachers had little more education than that of their students and many subjects were avoided altogether due to a lack of training in a particular subject, such as that of math and science.²³³ The lack of educational opportunities correlates to their job prospects and forces them to remain in the unskilled labor force.

A newly formed curriculum was implemented in 2018 which included Early Childhood Development (ECD) for the first time.²³⁴ ECD is a program geared toward educating children ages 0–9. The National Curriculum Framework institutes a more specific plan for ages 0–4 that includes well-being, identity and belonging, communication, exploring, mathematics, creativity,

²²⁹ The World Bank, "Overview." *The World Bank in Namibia*. Accessed December 1, 2020.
<https://www.worldbank.org/en/country/namibia/overview>.

²³⁰ Ibid.

²³¹ Gallo, 30.

²³² Ibid., 23.

²³³ Ibid.

²³⁴ Gallo, 31.

and knowledge and understanding.²³⁵ Taylor Salisbury states that white South Africans earn 369 percent more than black South Africans and 355 percent more than coloured South Africans.²³⁶ Much of this has to do with the length of time in school as well as the type of education each received. The average white South African spends 13.2 years in school, compared to 8.8 years of education for coloured South Africans.²³⁷ Current trends indicate that if drastic reform is not introduced, the disparities between the ethnic groups are going to worsen moving forward. The fact that a standard curriculum for all levels of education which focuses on core subjects, such as social science, math, literature, and science, was not enforced until 2018 is astonishing and exemplifies the case of inequitable access to education in poorer areas.²³⁸

Many individuals who are educated or show promise in South Africa tend to pursue training in other countries and never return to their hometown in a professional capacity. “Brain Drain,” or skill emigration, is the phenomenon where educated individuals leave a country in hopes of finding a better career or higher pay in another country.²³⁹ This issue is not agnostic to South Africa but rather to the entire continent and many other developing nations around the world. Developed nations are seeking out these educated individuals from the foreign labor force to compensate for declining birth rates. Since independence, immigration from other African nations has been difficult to achieve, as the populous views any immigration as a threat to the

²³⁵ Republic of South Africa, Department of Basic Education, “The South African National Curriculum Framework,” accessed March 9, 2021, <https://www.education.gov.za/Portals/0/Documents/curriculum%20docs/NCF%202018/NCF%20English%202018%20web.pdf?ver=2018-05-14-124718-317>.

²³⁶ Taylor Salisbury, “Education and Inequality in South Africa: Returns to Schooling in the Post-Apartheid Era,” *International Journal of Educational Development* 46 (2016): 43-52, <https://doi.org/10.1016/j.ijedudev.2015.07.004>.

²³⁷ Ibid.

²³⁸ Gallo, 30.

²³⁹ Crush, J., Campbell, E., Green, T., Nangulah, S., & Simelane, H. (2005). *States of Vulnerability: The Future Brain Drain of Talent to South Africa* (rep., pp. i-60). Waterloo, ON: Southern African Migration Programme. SAMP Migration Policy Series No. 42.

interests of South Africa. The issue of “Brain Drain” occurs in nearly every industry sector and is common amongst educators in South Africa.²⁴⁰

Along with curriculum issues in advancing South Africa into a skills-based economy, teacher retention and training is a hinderance in achieving this goal. Poor training for educators causes many problems within the education system. Teachers are often not qualified to teach their subjects or courses in South Africa, and those that are typically leave the education sector, due the horrid teaching conditions, in favor of other positions in a different industry or a different nation. When a teacher is underqualified to teach their respective subjects, this harms the potential future development of their students and may impair the students’ ability to enter the job market with competitive skills. Teachers opt to not include the training of skills in their classroom in favor of simpler lessons that are easier to teach to a larger variety of students. When a teacher is forced to teach a classroom of 60 students, it is difficult, even for a trained teacher, to effectively teach each student in an efficient manner.

Lack of Funding for Education in South Africa

The legacy of colonization and apartheid created two separate education systems masquerading as one. The British policy on education in Rhodesia (Zimbabwe) aimed “to develop a vast pool of cheap unskilled manual labor”.²⁴¹ South Africa was no exception to this rule, thus education in South Africa has two unofficial school systems, where one is funded and the other is funded to a much lesser extent, allowing for severe inequality and disparities in education for the general public of South Africa.²⁴² Servaas van der Berg states in the work “Apartheid’s Enduring Legacy: Inequalities in Education” that, “as of 2000, 10 percent of

²⁴⁰ Ibid.

²⁴¹ Smalley.

²⁴² Smalley, 2.

formerly black schools graduated fewer than 20 percent of their students, 35 percent graduated 20–39 percent, 32 percent graduated 40–59 percent, 16 percent graduated 60–79 percent, and just 7 percent graduated 80–100 percent of their students.²⁴³ In contrast, “2 percent of formerly white schools graduated 60–79 percent of their students, and 98 percent graduated 80–100 percent.”²⁴⁴ The difference in graduation rates between formerly white and black schools tells a significant story of the systemic inequality that has plagued South Africa in the post-apartheid era.

The problems facing any nation with any government funded program is a lack of resources to reach all the goals set before them. While education is a stated priority, it must contend with other social programs that need assistance, such as available health care, social development, and economic development. South Africa committed 6 percent of its Gross Domestic Product (GDP) to education or 19.5 percent of its government expenditures in 2010/11.²⁴⁵ The 2019/20 education investment is 6.5 percent of South Africa’s GDP and 19.45 percent of their government expenditures.²⁴⁶ The spending has steadily increased over the years and is a large amount for a developing country, but several issues have negatively impacted the advancement of the education system. Some of the factors are financial management problems in some provinces, budget constraints, and corruption at the local level.

Investment is an important part of improving education, but the funds must be allocated appropriately. As previously mentioned, in 2009, 92 percent of South Africa’s 24,793 schools did not have a functioning library and 46 percent of schools still use pit latrines as bathrooms.²⁴⁷

²⁴³ Ibid., 3.; Servaas van der Berg, “Apartheid’s Enduring Legacy: Inequalities in Education,” *Journal of African Economies*, 16, no. 5 (February 2007): pp. 849-880, <https://doi.org/10.1093/jae/ejm017>.

²⁴⁴ Ibid.

²⁴⁵ “Government Expenditure on Education, Total (% of GDP) - South Africa.” Data. Accessed March 9, 2021.

<https://data.worldbank.org/indicator/SE.XPD.TOTL.GD.ZS?locations=ZA>.

²⁴⁶ Ibid.

²⁴⁷ Smalley; Maserow.

An overwhelming number of schools do not have access to electricity or safe running water either. In 2008, a review of Luhlaza High School in Khayelitsh, a township outside of Cape Town, hosted approximately 1,000 students and had 500 broken windows that remained unfixed for four years or more.²⁴⁸ This caused very low temperatures in the winter, as well as entry of the occasional wild animal visitor which would disrupt class periodically. These conditions are not conducive to a productive learning environment. Not allowing students to have a building sealed from the elements and animals, as well as buildings not being equipped with safe running water, can create physically dangerous situations for many students across South Africa.²⁴⁹

In March of 2018, a young five-year-old girl fell into a full pit latrine at her primary school and drowned.²⁵⁰ The death of this student is not an isolated event, as there are several accounts of young children drowning in these pit latrines at their schools. Another article that reported on this girl's death spoke to the maintenance department for the Eastern Cape, which stated that over 5,225 maintenance projects were underway across South Africa.²⁵¹ At that time (March 2018), the Maintenance Department in the Eastern Cape had exhausted its budget for the year.²⁵² Having an educational institution that is safe for students is not optional, but rather a human right. The community in each locality needs to be confident that when their children leave each day for class, they will return safely. Funding is a crucial part of solving this problem. Once a community has an educational facility that they can be proud of, the public will be more invested to see its advancement. It is not uncommon for primary schools to have gardens for the

²⁴⁸ Smalley, 7.

²⁴⁹ Ibid.

²⁵⁰ Krista Mahr, "The Unending Tragedy Of A 5-Year-Old Who Drowned In A Pit Latrine," NPR (NPR, September 24, 2018), <https://www.npr.org/sections/goatsandsoda/2018/09/24/644801381/the-unending-tragedy-of-a-5-year-old-who-drowned-in-a-pit-latrine>.

²⁵¹ Agency and Staff Reporter, "Another young child drowns in school pit-latrine," Mail & Guardian (Mail & Guardian, March 15, 2018), <https://mg.co.za/article/2018-03-15-schoolgirl-drowns-in-pit-latrine/>.

²⁵² Ibid.

local community members to work, in order to help provide food for the school. Much of the day-to-day operations and success is left to the individuals of a community. Local people are more likely to invest their time and limited financial resources to ensure the success of a school, if it is fully operational and represents something that they can be proud to contribute to. By relying on individuals rather than the provincial and federal governments, the consistency of educational experience varies drastically from school to school, furthering the inequality throughout the nation.

The lines between private and public schools are not as cut and dry as one might think. An estimated 20 percent of public schools in South Africa charge fees to attend, with none of the benefits associated with private schools.²⁵³ On the other end, many private schools accept and depend on federal funding. Private schools only make up about 5 percent of all schools in South Africa.²⁵⁴

There is a cyclical pattern that emerges from the research in the education system. A lack of funding creates a poor learning environment and thus forces teachers to adapt or leave the profession. The poor curriculum from the lack of funding and lack of qualified teachers limits the opportunities of students to gain skills and enter the work force. The lack of skilled labor reduces the number of teachers and the available career opportunities for the general population after graduation. By reducing skilled labor, the South African economy does not advance and stagnates. The process starts over with the lack of funding and professionals to advance the next generation. Some experts recommend a few policies that may help solve the problem and break this viscous cycle. Offering social programs to incentivize individuals to gain the outcomes

²⁵³ Chisholm, 82.

²⁵⁴ Ibid., 81.

which the state desires is one potential policy approach, whereas modifying teacher compensation may be another.

Cash Transfer Programs

Since 1994, the South African government has recognized poverty as the largest issue preventing further and more rapid development.²⁵⁵ The 10-year period following the fall of apartheid saw unemployment rise and furthered inequality across the country.²⁵⁶ Various types of cash transfer programs exist throughout the world that differ in eligibility requirements and the goals that the program is trying to accomplish. These social programs are used to improve the overall quality of life of impoverished citizens of a nation, all while gaining a desired result. Some of these programs have stipulations in order to receive money while others do not. The implementation of a cash transfer program in South Africa has created many positive outcomes that are advancing the nation from a middle-income closer to a higher-income economy.²⁵⁷

Unconditional cash transfers (UCTs) are social programs which do not require a particular behavior to be performed to receive payment.²⁵⁸ Conversely, conditional cash transfers (CCTs) are social programs which require certain behaviors to be exhibited in order to receive payment.²⁵⁹ CCTs have been more widely implemented around the world, as this type of cash transfer program appeals to voters who may not necessarily benefit from such programs. CCTs

²⁵⁵ Michael Samson, Carolyn Heinrich, John Hoddinott, George Laryea-Adjei, Thabani Buthelezi, Lucie Cluver, Selwyn Jehoma, Maureen Mogotsi, Thilde Stevens, Ingrid Niekerk, Evelyne Nyokangi. (2016). The Impact of a Promise Realized: The Story of Cash Transfers and Impact Evaluation in Sub Saharan Africa. 10.1093/acprof:oso/9780198769446.003.0013.

²⁵⁶ Ibid.

²⁵⁷ The World Bank, "Middle Income," accessed March 9, 2021, <https://www.worldbank.org/en/country/mic/overview>.

²⁵⁸ Baird, McIntosh, and Ozler, 1709-1710.

²⁵⁹ Ibid.

have been shown to improve educational, nutritional, and health outcomes throughout developing countries.²⁶⁰

In 1998, a type of UCT was implemented in South Africa by the Department of Social Development called the Child Support Grant (CSG).²⁶¹ The CSG is a direct payment to a child's caregiver, regardless if the caregiver is a relative or not.²⁶² In order to qualify for the CSG program, a household income must be below a set threshold and the caregiver of a child must meet certain eligibility requirements. When the program began in 1998, the amount that was paid to families was R100 for children between the ages of 0 and 7 years.²⁶³ In February 2003, the age criteria was expanded to 14 years of age.²⁶⁴ Since its inception, the value of the grant amount has increased each year to match the rate of inflation.²⁶⁵ By 2015, the CSG had cut the South African food poverty gap in half.²⁶⁶ In 2010, the CSG was altered to include a single requirement for caregivers to continue to receive payments. This provision was mandatory school attendance, and this shifted the program from a UCT to a CCT.²⁶⁷ The significance of the CSG is shown by a substantial rise in school attendance as well as further completion of more years of schooling when compared to children who do not receive the CSG who were in a similar financial situation. Additionally, children who were enrolled into the CSG program at birth tested higher in arithmetic versus children who are enrolled at age 6.²⁶⁸

²⁶⁰ Ibid.

²⁶¹ Samson et al.; Benjamin Davis, Sudhanshu Handa, and Nicola Hypher, *From Evidence to Action: the Story of Cash Transfers and Impact Evaluation in Sub Saharan Africa* (Corby: Oxford University Press, 2016), pp. 306-331.

²⁶² Ibid.

²⁶³ Katharine Hall, "Child Support Grants," Children Count (Cape Town: Children's Institute, University of Cape Town), accessed March 9, 2021, <http://childrencount.uct.ac.za/indicator.php?domain=2&indicator=10>.

²⁶⁴ Samson et al., 312.

²⁶⁵ Hall.

²⁶⁶ Samson et al., 316.

²⁶⁷ Ibid., 312.

²⁶⁸ Ibid., 317.

Early Childhood Development is a critical portion to the founding of any education system. The first years of education, which include programs such as pre-schools and daycares, are where a child begins the path of learning and developing the social skills that will continue to grow and evolve for life. CSG funding pays for many of these programs.²⁶⁹ Having these facilities available to families allows the caregivers to work instead of staying at home with their children. This program has reduced the number of children that drop out of school in search of work to help pay bills for their family.²⁷⁰ The family of the child not only receives the direct payment, but they are also able to keep their job and provide additional support for the child's development. Research has shown that financial problems are the largest factor for low student classroom attendance and higher dropout rates.²⁷¹ The CSG helps caregivers cover expenses such as school fees, uniforms, food, and transportation.²⁷²

The most recent data on payments under the CSG from the University of Cape Town, *Statistics on Children in South Africa*, found that as of March 2019 the monthly payment per child was R420 for children age 0–17.²⁷³ A total of 12,445,310 children are benefiting from the CSG program.²⁷⁴ Income thresholds, age requirements, and other eligibility factors have been adapted since the beginning of the CSG program.²⁷⁵ In 2014, the exclusion rate for eligible children under a year old was estimated at 43 percent.²⁷⁶ The total rate of exclusion for all ages is approximately 17.5 percent.²⁷⁷ Reasons for the lack of voluntary participation in the CSG programs include (1) a lack of consistency for the requirements, (2) caregivers are missing

²⁶⁹ Ibid., 318.

²⁷⁰ Ibid., 319.

²⁷¹ Ibid.

²⁷² Ibid.

²⁷³ Hall.

²⁷⁴ Ibid.

²⁷⁵ Ibid.

²⁷⁶ Ibid.

²⁷⁷ Ibid.

necessary documentation (marriage license, birth certificates, etc.), (3) transportation costs to distant offices and payout locations, (4) individuals want to avoid the stigma of receiving government money, (5) the application can be difficult and time consuming to complete.²⁷⁸ Eligibility in terms of income is measured through a means test where one's income cannot exceed ten times the amount of the direct payments. For instance, in April 2019, the maximum allowable income would be R4,200 for a single caretaker and R8,400 for a joint income.²⁷⁹ The direct monthly CSG payment at the same time was R420 a month.²⁸⁰

The CSG has been impactful by improving early child development and schooling outcomes and has been considered as one of the most important social policy changes in post-apartheid South Africa.²⁸¹ Yet, this program is not specifically intended to directly improve education as its primary objective. The CSG program has, arguably, improved the system the most and increased educational attainment more broadly for the citizens of South Africa to produce a more equitable society.

Teacher Compensation Incentives

Karthik Muralidharan and Venkatesh Sundararaman offer an analysis of the impact of teacher pay and the resulting performance on student testing and attendance.²⁸² This trial takes place in India and is known as the Andhra Pradesh Randomized Evaluation Study.²⁸³ Lessons can be taken from this study and applied to the African continent to further education as a whole.²⁸⁴ Teacher salary in nearly every nation, whether developed or not, makes up the largest

²⁷⁸ Samson et al., 316; Davis, Handa, and Hypher.

²⁷⁹ Hall.

²⁸⁰ Ibid.

²⁸¹ Samson et al.; Davis, Handa, and Hypher.

²⁸² Karthik Muralidharan and Venkatesh Sundararaman, "Teacher Performance Pay: Experimental Evidence from India," *National Bureau of Economic Research*, 2009, <https://doi.org/10.3386/w15323>.

²⁸³ Ibid.

²⁸⁴ Ibid.

expense of any budget.²⁸⁵ In 2019, South Africa spent a total of 262.4 billion Rand on basic education, of that 204.4 billion Rand was used to compensate employees.²⁸⁶ Targeting this aspect of the budget and offering rewards based on performance has become more attractive in recent years. Two types of teacher groups were studied with different incentives in this study.²⁸⁷ One group focused on performance where the teachers at a school collectively benefited and another group where the individual was rewarded based on their performance.²⁸⁸ The study offered a teacher an approximate bonus of 3 percent of their total salary.²⁸⁹ An additional note is that only math and literature teachers were incentivized in this study.²⁹⁰

After two years of utilizing this program, the study found that students in incentive schools performed better by .27 and .17 standard deviations in math and language respectively.²⁹¹ Moreover, students tended to perform better in the incentive schools when compared to other schools with similar programs with similar investments.²⁹² Teachers with experience and Master of Education degrees performed no better than those without these in this study.²⁹³ No unfavorable consequences were found for either student or teacher outcomes.²⁹⁴ One positive result was a “spillover effect” of test scores increasing for the students with incentivized teachers testing higher in non-incentive teacher courses such as science and social sciences.²⁹⁵

²⁸⁵ Ibid.

²⁸⁶ Republic of South Africa. National Treasury. Accessed March 9, 2021.
<http://www.treasury.gov.za/documents/national%20budget/2019/default.aspx>.

²⁸⁷ Muralidharan and Sundararaman.

²⁸⁸ Ibid.

²⁸⁹ Ibid.

²⁹⁰ Ibid.

²⁹¹ Ibid.

²⁹² Ibid.

²⁹³ Ibid.

²⁹⁴ Ibid.

²⁹⁵ Ibid.

At most, this program increases teacher salary by 3 percent with significant improvements to student engagement and testing. This a cost-effective way to improve teacher morale and improve student learning. By offering teachers the opportunity to make more money, this may attract talent to the education field. There are problems with this system as with any. The proportion of how many teachers and in what regions should qualify is unclear, as well as what subject should be incentivized and at what time. The long-term effects appear to be positive, but until there is more empirical data to prove the long-term applications, this concept has not grown in popularity. Despite the criticism of this system, this may be a viable option that is extremely cost-effective to help improve the education system in rural areas of South Africa.

Conclusion

The challenges faced by South Africa to create a more equitable and just education system for all are mounting as the poverty gap widens across the country. Scholars offer various solutions that go unheeded and cause unsafe and inhumane conditions for learning. Access to a quality education is a human right, not a privilege, and South Africa's Constitution of 1996 reinforces that assertion.²⁹⁶ Chapter 2, Section 29 states that, "Everyone has the right to a basic education, including adult basic education; and to further education, which the state, through reasonable measures, must make progressively accessible."²⁹⁷

Major issues plague the education system of South Africa including a lack of skilled labor due to a poor design of the state curriculum and a shortage of opportunities to gain more advanced skills. With a lack of skilled workers, the earning potential is extremely low and ultimately encumbers the advancement and overall development of the South African economy into a knowledge-based economy. The most glaring issue is a deficiency of funds allocated to

²⁹⁶ "South Africa's Constitution of 1996 with Amendments through 2012."

²⁹⁷ Ibid.

education. The amount that is invested into education in South Africa is low as a percentage of GDP when compared to other nations of similar development.²⁹⁸ The current infrastructure of schools is unsafe at many facilities, and they are in need of money in order to bring them up to minimum operating standards. School buildings that do not have running water, bathrooms, electricity, or libraries is an unacceptable standard that South Africans find themselves facing just to attend class. This serves as an exploratory text to examine some of the arguments for what the main problems plaguing the current education system and what can be done to improve the situation.

Several scholars have proposed solutions to these issues ranging in cost and commitment. Chisholm's work mentioned previously in this paper proposes an overhaul of the entire education system from the ground up.²⁹⁹ The systemic problems and legacies of apartheid and colonization can only be undone by rebuilding the education system. This solution, however, has many logistical and financial drawbacks. The current state of education, both in policy and infrastructure, are quite lacking and needs a large investment to move the proverbial needle at all. The amount of resources, time, and legislation makes this task unrealistic in the near future for South Africa. This may be what South Africa needs to improve the current situation quickly, but this does not appear to be a viable or realistic solution provided what South Africa is willing to invest at this current moment.

One of the other solutions is to use policy to reform the current education system to make education fairer and more accessible to all citizens. Christie's work, mentioned earlier, recommends legislation to be drafted in order to improve the current environment of education

²⁹⁸ The World Bank.

²⁹⁹ Chisholm.

and use the framework already in place.³⁰⁰ These potential policy changes includes equitable disbursement of funding, monitoring teachers to ensure they follow the state-mandated curriculum, and various others that would directly improve the physical infrastructure of the education system.³⁰¹ This offering is better suited to the means that South Africa has, yet the main argument is that the governing body has been attempting to do this for the past two decades and have produced little tangible results.

The final school of thought is utilizing social welfare and incentive programs to improve the overall standard of living. The cash transfer program that is currently utilized in South Africa, the CSG, offers direct payments to caregivers of children who are 0-17 and who meet the other eligibility requirements.³⁰² Positive impacts in education have been made as a result of this program. Initially instituted in 1998, the CSG program has created an upward trend in child educational attainment, nutritional improvements, and access to healthcare since its implementation.³⁰³ In 2010, a requirement for children to attend school was implemented.³⁰⁴ Children who receive this grant at birth complete more years of schooling and test higher in arithmetic compared to their peers who either receive the grant at age 6 or not at all.³⁰⁵ Moreover, the CSG allocation helps to fund ECD facilities and programs throughout South Africa that enable guardians to continue working and reduce the amount of children who drop out of school to work to support their families.³⁰⁶ Although this program was not intended, in its beginnings, to advance the educational system, the CSG has had more positive and lasting effects

³⁰⁰ Christie.

³⁰¹ Christie.

³⁰² Samson et al.

³⁰³ Ibid.

³⁰⁴ Ibid.

³⁰⁵ Ibid.

³⁰⁶ Hall.

in furthering education and making all levels of basic education more accessible than many programs that are directly aimed at tackling the same educational objectives.

Funding for educational institutions is tough to expand when considering the needs of other programs in a developing nation. Teacher compensation makes up a vast majority of the basic education budget for South Africa. Some experts theorize that increasing teacher salaries by using incentives is a way to improve schoolwide attendance and test scores. Karthik Muralidharan and Venkatesh Sundararaman conducted an experiment on teacher pay incentives in India.³⁰⁷ They found that schools that offer incentives and bonuses to teachers in math and language had students who tested higher on standardized tests as well as saw an increase in classroom attendance. The bonuses were equal to approximately 3 percent of the total teacher salary.³⁰⁸ This is a small increase in funding that saw a significant rise in educational advancement within the schools that the experiment was conducted in. The long-term effects are unclear as this theory has not been tested over a period longer than two years at a time. Although there is an immediate increase, it is not clear that the trend would continue upward if implemented long-term. However, this is a cost-effective program that could be beneficial to South Africa given the budget constraints on the nation.

Systemic and deeply rooted issues still remain throughout South Africa and impact nearly every aspect of life for many of its citizens. The educational system is truly a legacy of colonization and apartheid. Even though Bantu education has been formally outlawed, the framework remains that the current education system is based on. Several legislative reforms and agencies have been created to assist in making education more accessible and affordable to the average citizen. These efforts have produced some improvements across the nation, but the

³⁰⁷ Muralidharan and Sundararaman.

³⁰⁸ Ibid.

inequity of funding and access to education at the institutional level has remained a problem. Educational facilities not having running water, electricity, or even bathrooms serve as a threat to the health and safety of the students who attend these schools. South Africa has the opportunity to advance as a nation and greatly increase its overall economic power as a knowledge-based economy, but education must be a priority for its citizens before this can happen.

Recommendations for Future Research

South Africa has a long way to go before the legacies of colonialism and apartheid cease to impact nearly every aspect of life for its black, coloured, and Indian citizens. There is no silver bullet to solving South Africa's inequitable education system, but efforts can be made to make small improvements that lead to larger systematic change. Further research on the economic outcomes that directly relate to educational attainment in South Africa would be beneficial to fully understanding the current education system and help guide future policy. Additionally, further research into educational systems on the African continent that are cost-effective, similar to the teacher incentive program, could greatly impact the future development of the education system in South Africa.

Corruption in South Africa and the Effects of State Capture

Introduction

Since the fall of apartheid, corruption and state capture have plagued South Africa. In a speech in July of 2016, President of South Africa, Jacob Zuma stated, “If it were up to me, and I made the rules, I would ask for six months as a dictator. You would see wonders, South Africa would be straight.”³⁰⁹ South Africa is a parliamentary democracy where the president is both the head of state and government. To hear an elected leader desire to become a dictator is unsettling and displays the flaws in the leadership of South Africa at the highest level. Corruption is considered to be one of the most notable barriers to furthering development on the African continent.³¹⁰ South Africa, under the leadership of Jacob Zuma, experienced the pinnacle of a worst-case scenario in a horrid display of institutional weakness. Institutional weakness is the term describing the failures of government to prevent and correct the various forms of malfeasances occurring within itself. Corruption is the most notable of these and ranges in severity and structure from bribery, nepotism, and embezzlement. Todaro and Smith define corruption as “the appropriation of public resources for private profit and other purposes through the use and abuse of official power or influence”.³¹¹ This will be used as the definition for corruption as the executive authority. Several private companies operated by the Gupta family, including the Indian businessmen brothers Atul, Ajay, and Rajesh Gupta, stripped the South African government of material resources and capital.³¹²

³⁰⁹ Ivor Chipkin et al., “Power, Authority and Audacity: How the Shadow State Was Built,” in *Shadow State: the Politics of State Capture* (Johannesburg: Wits University Press, 2018), 59.

³¹⁰ Martin Meredith. *The Fate of Africa: A History of the Continent Since Independence*. Public Affairs: New York, 2011.

³¹¹ Michael P. Todaro and Stephen C. Smith. *Economic Development*. Harlow, England: Pearson Education Limited, 2015.

³¹² “South Africa's Gupta Brothers Sanctioned by US over 'Corruption',” BBC News (BBC, October 10, 2019),

State capture is a term that has come into the common vernacular in recent years when referring to South Africa and its political system. The term was first used by the World Bank in 2000 and refers to public officials and politicians receiving payments directly from private companies or individuals.³¹³ This is a more severe form of administrative corruption, since laws, rules, and regulations were altered to the benefit of those providing the bribes. As a term, state capture can be misleading as the state does not lose its sovereignty, rather the government itself is manipulated by outside influences.³¹⁴ The extensive network that was established to move the nation's resources was created and molded to the advantage of a few select individuals while the South African economy and democracy eroded. A shadow state emerged, and with it, came a “war economy,” where a number of informal structures developed to create profits and to protect the power of those at the top.³¹⁵ South Africa's war economy was established by corrupt leaders that used state resources for their own profit. In a traditional sense, a war economy occurs when a nation maximizes the economy for production during a time of crisis. The South African circumstance of its war economy was established purely as a mode of providing resources and money to the elites at the top of the shadow state.³¹⁶

The apartheid regime maintained full control over the nation of South Africa until its first fully democratic election in 1994.³¹⁷ The apartheid system was also a parliamentary democracy

<https://www.bbc.com/news/world-africa-50003150>.

³¹³ Joel S. Hellman, Geraint Jones, and Daniel Kaufmann, “Seize the State, Seize the Day: State Capture, Corruption, and Influence in Transition,” *Policy Research Working Papers*, 2000, <https://doi.org/10.1596/1813-9450-2444>.

³¹⁴ Pieter Labuschagne, “Patronage, State Capture and Oligopolistic Monopoly in South Africa: The Slide from a Weak to a Dysfunctional State?,” *Acta Academica* 49, no. 2, 2017: 51-67. <https://doi.org/10.18820/24150479/aa49i2.3>.

³¹⁵ Ivor Chipkin et al., “Structuring the Capture of the State,” in *Shadow State: the Politics of State Capture* (Johannesburg: Wits University Press, 2018), 19-28.

³¹⁶ Ibid.

³¹⁷ Shula E. Marks, “Independence and Decolonization in Southern Africa,” *Encyclopædia Britannica* (Encyclopædia Britannica, inc.), accessed April 3, 2021, <https://www.britannica.com/place/Southern-Africa/Independence-and-decolonization-in-Southern-Africa>.

that disenfranchised all individuals who were not white South African citizens. Even though it was a democracy, it ruled South Africa as an authoritarian state, limiting the rights and freedoms of black South Africans to protect the interest of the white Afrikaner minority. South Africa was, and still is, considered to be one of the most unequal societies in the world.³¹⁸ As is true with many African nations, the legacies of colonization play a crucial role in the general advancement of development. Since the fall of apartheid, scandal has plagued the leadership of the African National Congress (ANC), the party of Nelson Mandela and majority party of South Africa, for many years. Over time, corruption and fraud charges became more severe in nature and eventually led to a lack of faith in the democratic system across the nation. The citizens of South Africa have traditionally voted with the ANC, but the most recent election showed that more people are not turning out to vote and are choosing to support parties that have broken from the ANC.³¹⁹ The most prevalent and new political party are the Economic Freedom Fighters (EFF), who campaign on the promise of combating corruption in the government and allocating resources back the South African people.³²⁰

This text aims to examine the failures, institutions, and processes that led to the disablement of the accountability mechanisms that could have prevented institutional weakness on such a large scale. This text also aims to serve as a brief overview of the events of state capture as well as a summary of events and suggestions that are brought forth to advance the development of South Africa. Some of the resources used in this work include court rulings, parliament motions, and governing institutions, among other official documents and news

³¹⁸ Rod Alence and Anne Pitcher, "Resisting State Capture in South Africa," *Journal of Democracy* 30, no. 4 (October 2019): 5-19, <https://doi.org/10.1353/jod.2019.0065>.

³¹⁹ Heinz Klug, "Transformative Constitutions and the Role of Integrity Institutions in Tempering Power: The Case of Resistance to State Capture in Post-Apartheid South Africa," *Buffalo Law Review* 67, no. 3 (May 2019): 701-742.

³²⁰ Vishwas Satgar, "Black Neofascism? The Economic Freedom Fighters in South Africa," *Canadian Review of Sociology/Revue Canadienne De Sociologie* 56, no. 4 (2019): 580-605, <https://doi.org/10.1111/cars.12265>.

articles to create a holistic view of scale and progression of the institutional weakness that led to eventual state capture. Several journal articles exist that explore the issue of state capture in South Africa, but few do so in a way that explains the failure of accountability mechanisms and what is being done to combat future possibilities for corruption. Many journal articles also focus on the organization of the shadow state or the economic impact of state capture, yet few take a political approach that focus on the lack of oversight between the governing bodies.

Additionally, there is little writings on state capture outside of the South African example. The president who was responsible for the state capture of South Africa, Jacob Zuma, resigned in February 2018.³²¹ One of the limiting factors of this text is that the full impact of the economic, political, and social consequences of Zuma's actions have not been completely felt and as time progresses more research and analysis will be provided. Much of the economic impact on the nation is speculated by scholars, due to the fact that losses from investment cannot fully be predicted as if state capture never happened, and there is a lack of official documentation by the shadow organizations that were profiting off of the government.

Literature Review

The event of state capture in South Africa is an expansive subject, with scholars approaching the topic from various angles that include political involvement, economic consequences, growing government distrust, failure of government oversight, among many other areas. Due to the nature of state capture in South Africa having so many aspects to its implementation and its consequences, many great perspectives are overlooked in favor of the most significant factors that include the failure of judicial and legislative oversight, political

³²¹ "South Africa's Jacob Zuma Resigns after Pressure from Party," BBC News (BBC, February 15, 2018), <https://www.bbc.com/news/world-africa-43066443>.

scandals and corruption, and the growth of distrust in the government and the ANC as it leads to the decay of democracy.

Heinz Klug in his work “Transformative Constitution and the Role of Integrity Institution in Tempering Power: The Case of Resistance to State Capture in Post-Apartheid South Africa” utilizes cases decided on by the South African High Court and Constitutional Court that led to the manipulation of the law by various actors and its impact on state capture.³²² Focusing on the court’s slow creation of a separation of powers, Klug uses this to examine the abuse of power that led to the undermining of the post-apartheid democracy.³²³

The next main school of thought focuses on the policies and events that allowed the formation of a shadow government and a war economy. Madonsela’s work “Critical Reflections on State Capture in South Africa” and “Structuring the Capture of the State” in *Shadow State: the Politics of State Capture* by Chipkin et al., center their efforts on explaining the formation of the shadow state and war economy.³²⁴ They also discuss the way in which resources are extracted and moved through the system created by the controllers (Jacob Zuma and the Gupta family). Gaining an understanding of how the resources are removed from state use is critical to pinpointing the failure of institutions, laws, and policies that allowed the event to occur in itself. Although these sources are limited to the shadow government, many of the statistics used are speculation as the real cost of state capture in growth and lost foreign investment can only be estimated rather than directly measured.

³²² Klug, 701-742.

³²³ Ibid.

³²⁴ Sanet Madonsela, “Critical Reflections on State Capture in South Africa,” *Insight on Africa* 11, no. 1 (2018): 113-130, <https://doi.org/10.1177/0975087818805888> and Chipkin et al., 19-28.

“Resisting State Capture in South Africa” by Alence and Pitcher takes a look at the scandals that have troubled the ANC and Jacob Zuma.³²⁵ The various scandals are what eventually caused the fall of Zuma and the Gupta influence over the state. Labuschagne takes this a step further by examining the political impact of these scandals and the movement of a nation from a weak state to a dysfunctional state.³²⁶ He defines this transition from a weak to dysfunctional state when resource allocation is controlled by an outside influence.³²⁷

Finally, the last major school of thought is analyzing the contraction of the majority political party in South Africa, the ANC, and the distrust in the government to govern appropriately and effectively. Rachel Adams takes a deep dive into the rise of more minority parties such as that of the EFF.³²⁸ Populist movements are gaining in popularity as the people demand action from their government to bring an end to corruption and to fulfill the promises of the Constitution.

These are the reoccurring themes that serve as the broad explanation for the institutional weakness which led to the eventual occurrence of state capture and its many consequences. This work attempts to provide a comprehensive narrative and description of the institutional weaknesses of the South African government and the country’s attempts to prevent further exploitation of the state by outside influence.

South Africa’s Governing Body and Its Institutions

Apartheid was the system of racial segregation and discrimination that focused on the suppression of non-white South Africans.³²⁹ Beginning in the late 1980’s, the apartheid system

³²⁵ Alence and Pitcher, 5-19.

³²⁶ Labuschagne, 51-67.

³²⁷ Ibid.

³²⁸ Rachel Adams, “South Africa’s Social Contract: the Economic Freedom Fighters and the Rise of a New Constituent Power?,” *Acta Academica* 50, no. 3 (November 14, 2018): 102-121, <https://doi.org/10.18820/24150479/aa50i3.5>.

³²⁹ Brian Lapping, *Apartheid: a History* (New York: G. Braziller, 1989).

began to lift restrictions which included lifting the ban on the ANC and freeing Nelson Mandela from prison in 1990. In 1993, negotiations between the ANC and the apartheid regime were held under the support of the Convention for a Democratic South Africa (CODESA). The *Declaration of Intent* was signed by members of the ANC and the ruling apartheid party that included the outline for the creation of the burgeoning democratic government.³³⁰ This document lays the foundation for the institutions and process in which the new government would be formed. Section 5 of the *Declaration of Intent* stated, “that there shall be a separation of powers between the legislature, executive and judiciary with appropriate checks and balances”.³³¹ This document specifically states that a formal separation of powers be included in the forming government. However, three years later when the Constitution was approved, very little was mentioned in terms of checks and balances or branch oversight. It would be up to the courts to decide what each branch was allowed in terms of accountability mechanisms in order to ensure the protection of the Constitution, democracy, and the welfare of the citizens of South Africa.

Having to work in conjunction with a group’s previous oppressor for a unified nation is a monumental task. Several aspects of the existing apartheid government were left in place, since it was already an acting democratic body. Several institutions were created and expanded to ensure equality across the nation, but the basic framework remained. Some of the key aspects of the South African parliamentary system that led to institutional weakness are a result of this expansion of the previous system.

³³⁰ “Declaration of Intent,” Convention for a Democratic South Africa (CODESA), 1991-1993; William H. Worger, Nancy L. Clark, and Edward Alters Alpers. *Africa and the West: a Documentary History*. Oxford: Oxford University Press, 2010, 252.

³³¹ Ibid.

Elections are held every five years, and the votes of citizens count toward a party rather than an individual.³³² The votes convert into parliamentary seats, and the winning party nominates the president. Therefore, the leader of the ruling party, is also the president of South Africa. Having a single party rule allows the ANC to have control of the state and can potentially limit the authority of checks and balances.³³³ Since the members of Parliament owe their position to the party, loyalty is owed to the president and creates a hierarchy between the executive and the members of Parliament.³³⁴ South Africa having a single party rule establishes a close connection between the legislature and the executive. Moreover, the president reserves the authority to appointment cabinet members as well as the heads of parliamentary committees. The South African Constitution does provide Parliament with the power of executive oversight and the ability to remove the president with a two-thirds vote of no-confidence.³³⁵ Judicial oversight is constitutionally allowed on the executive and parliamentary branches. Another important note is that the three branches of South African government are physically separated by significant distances. The executive branch is located in Pretoria, the seat of Parliament is located in Cape Town, and the judicial branch (Constitutional Court) is located in Bloemfontein, just outside of Johannesburg.³³⁶ This distance between branches poses a challenge in terms of enforcing checks and balances.

Negotiating the Constitution after the first democratic election posed issues and did not make provisions that were explicit in establishing checks and balances amongst the branches of government. Instead, constitutional institutions were created to ensure the advancement of South

³³² Alence and Pitcher, 5-19.

³³³ Ibid.

³³⁴ Ibid.

³³⁵ Ibid.

³³⁶ "Structure and Functions of the South African Government," South African Government, accessed April 3, 2021, https://www.gov.za/about-government/government-system/structure-and-functions-south-african-government#gov_cluster.

Africa, while ensuring the rights of its citizens listed in the Constitution and preventing corruption within the branches. The lack of formal oversight between branches was to be corrected with six separate institutions that held the power to enforce the Constitution and other governmental policies.³³⁷ Chapter 9 of the 1996 South African Constitution constructs the office of the Public Protector, South African Human Rights Commission, Commission for the promotion and protection of Rights of Cultural, Religious, and Linguistic Communities, Commission for Gender Equality, National Auditor, and the Electoral Commission.³³⁸ All of these institutions were intended to realize the goals of democratic governance and are unofficially referred to as the fourth branch of government.³³⁹

The advantage of not having a firm and defined separation of powers avoids the stagnation of effective leadership within each branch and allows for more opportunities to prevent, investigate, and correct possible institutional weakness in each branch of government. As Jacob Zuma would prove, these offices can be manipulated to the benefit of a single branch. These constitutional offices provide good governance today and are only subject to the rule of the Constitution.³⁴⁰

The Emergence of the Shadow State and Its Structure

Jacob Zuma entered the office of the President on May 9, 2009 and was possibly the only democratically elected leader to be undergoing 783 charges for corruption, fraud, and other criminal activity at the time of his election.³⁴¹ The shadow state that emerged under his leadership cost the people of South Africa billions of dollars and losses in economic growth that

³³⁷ Klug, 707.

³³⁸ Ibid.

³³⁹ Ibid.

³⁴⁰ Klug, 708.

³⁴¹ Madonsela, 114 and Alence and Pitcher, 12.

will take decades to recover from. In order to move the resources and money out of South Africa, many actors in various different roles were required. A hierarchy of unique positions was created, and the network of these actors was one of deniability and trust through fear.

Between 1994 and 2008, before the global financial crisis hit, South Africa experienced positive growth per capita almost every year.³⁴² Under Jacob Zuma's administration, the only year that South Africa would see any GDP growth was in 2010 and that was mainly due to the FIFA World Cup that was held in Cape Town.³⁴³ Throughout the remainder of Zuma's presidency, growth hovered at zero percent.³⁴⁴ This is not all due to Zuma's leadership, but the emergence of a shadow state did not help South Africa progress out of their economic slump that Zuma entered under.

The development of a war economy was focused around three groups with varying skills, talents, and requirements.³⁴⁵ The first of these was the controllers.³⁴⁶ The controllers maintained organization through whatever method deemed necessary. These are considered the leaders of the economy and include figures such as Jacob Zuma himself and members of the Gupta family.³⁴⁷ The next group was the elites who were responsible for establishing and maintaining networks to navigate resources to their desired destination.³⁴⁸ Individuals such as the Free State Premier, Ace Magashule, among many other ministers in Parliament were part of the elites. Finally, the entrepreneurs or brokers were the group that physically moved funds, information,

³⁴² Alence and Pitcher, 12.

³⁴³ Ibid.

³⁴⁴ Ibid.

³⁴⁵ Chipkin et al., 2.

³⁴⁶ Ibid.

³⁴⁷ Ibid.

³⁴⁸ Ibid.

and resources both domestically and internationally by utilizing methods such as smuggling and money laundering.³⁴⁹

The success of this system relies on the cooperation of many actors in a top down system. By removing funds and resources from the state for the advancement of the few contributes nothing back to the state, nor the South African people. This framework of the shadow government allowed for Jacob Zuma and the Gupta family to launder resources away from South Africa for years. The mechanisms to prevent state capture, which included a check and balances system, failed at the first signs of this institutional weakness. It would take many individuals, committees, and offices years to finally report and oust those responsible for state capture.

Accountability Mechanisms and Mechanistic Failures

The South African accountability mechanisms mostly rest in Parliament as they do have the authority to conduct investigations.³⁵⁰ However, as the president is also the leader of the majority party, it would be up to the president to investigate himself in terms of oversight of the executive branch.³⁵¹ This is the fatal flaw of a Parliamentary Democracy that has, essentially, a single ruling party.³⁵² The judicial authority establishes that they are to only rule on the constitutionality of a law or action and that this would be detrimental to the ability of the judicial branch to hold members of Parliament and the executive branch accountable for their actions.³⁵³ The Constitution of 1996 does not establish a formal separation of powers, but rather focuses on the advancement of South Africa for the people.³⁵⁴ Some argue that the Constitution of 1996

³⁴⁹ Gerardo Francisco Sandoval, "Shadow Transnationalism: Cross-Border Networks and Planning Challenges of Transnational Unauthorized Immigrant Communities," *Journal of Planning Education and Research* 33, no. 2 (2013): 176-193, <https://doi.org/10.1177/0739456x12469881>.

³⁵⁰ Klug, 703-706.

³⁵¹ Ibid.

³⁵² Ibid.

³⁵³ Ibid.

³⁵⁴ Ibid.

hinders itself as it is ideological since it did not provide the authority to fulfil the promises made.³⁵⁵

The *Republic of South Africa v Grootboom* served as a landmark case for the precedent that set the priorities of the government to the people.³⁵⁶ In 2001, the court ruled that the South African government has a basic responsibility to its people for socio-economic rights established by the Constitution.³⁵⁷ This court case determined that the citizens are entitled to their elected government working towards the economic advancement of South Africa both as a whole and individually.³⁵⁸ As state capture unfurled under Zuma, the government would ignore this ruling and focus on utilizing resources to the benefit of the few rather than the many.³⁵⁹

One of the first court cases that limited judicial oversight of both the executive and legislative branches came with the decision from *Van der Merwe v. Road Accident Fund*.³⁶⁰ The ruling established that the court cannot arrive at a decision without allowing the relevant branch the opportunity to justify the actions of said branch and their reasons within the confines of the Constitution.³⁶¹ Zuma would later use this ruling to stall charges against himself time and time again throughout his time as president.³⁶²

Another court case that would limit both the judicial and legislative oversight of the executive came with the ruling from *Masethla v. President of the Republic of South Africa*.³⁶³

Billy Masethla was the former Director-General of Intelligence who was relieved of duty by

³⁵⁵ Adams, 102-121.

³⁵⁶ Labuschagne, 62-64.

³⁵⁷ Ibid.

³⁵⁸ Ibid.

³⁵⁹ Ibid.

³⁶⁰ Klug, 713.

³⁶¹ Ibid.

³⁶² Ibid.

³⁶³ Ibid., 714.

President Mbeki.³⁶⁴ Masethla asked the court to reinstate him as there was no grounds for his termination. The court ruled in favor of Mbeki and stated that the president is within his constitutional rights to dismiss those he deemed unfit.³⁶⁵ Again, Zuma would use this case to oust individuals who did not abide by his demands.³⁶⁶ According to the State Capture report by the Public Protector, Deputy Minister of Finance Mcebisi Jonas stated he was approached by Ajay Gupta and offered the position of Minister of Finance, along with a large cash payment, if he would allow them to have access to the National Treasury³⁶⁷. Mcebisi went on record as turning down the offer, but this example shows the power Zuma had to change individuals in critical roles for national development at his convenience.³⁶⁸

The first parliamentary oversight challenge appeared in 1996.³⁶⁹ The Department of Health spent R14.2 million on a musical to raise national awareness of the HIV/AIDS epidemic.³⁷⁰ Nearly the entire department's budget was spent on this play which included high salaries and the use of luxurious facilities, among other unnecessary expenses.³⁷¹ The Portfolio Committee called the Minister of Health to justify the expense, she simply refused to attend.³⁷² Members of Parliament became reliant on the media for accountability rather than taking action themselves.³⁷³ The ANC was more worried over image and damage control than the actual accountability of the department. Party solidarity proved more important than good governance.

³⁶⁴ Ibid.

³⁶⁵ Ibid.

³⁶⁶ Ibid.

³⁶⁷ Labuschagne, 63.

³⁶⁸ Ibid.

³⁶⁹ Klug, 719.

³⁷⁰ Richard Calland, *The First 5 Years: a Review of South Africa's Democratic Parliament* (Cape Town: Idasa, 1999).

³⁷¹ Klug, 719.

³⁷² Ibid.

³⁷³ Ibid.

As more scandals and malfeasances came to light, Parliament had little ability to hold its own members accountable thus hindering its ability to hold another branch accountable for its actions.

As the majority party, the ANC is always seeking to protect itself and party leaders from possible scandal. In 2010, the ANC chairperson of a parliamentary committee requested that the minister of the ANC turn over a confidential report for parliamentary review.³⁷⁴ The party removed the committee chairperson to prevent the report from being examined.³⁷⁵ This protection of the higher-ranking members of the ANC has created a legacy of institutional weakness, as they view that their image is more important than their actions for the citizens.³⁷⁶ By continuing to protect the higher ranking members, parliament is unable to hold the executive accountable since every president that South Africa has had since the fall of apartheid has been a member of the ANC.

As Zuma's power grew, along with the Guptas, they took cases to the Constitutional Court to challenge the authority of the remaining institution that could hold them accountable, the Office of the Public Protector.³⁷⁷ Zuma challenged the Office of the Public Protector's remedial authority first. In March of 2016, the court ruled that the Office of the Public Protector is independent and only subject to the Constitution and no other authority.³⁷⁸ This ruling is critical to the eventual downfall of Zuma as a report published by the Office of the Public Protector would be the strike to finally force him to resign.³⁷⁹ Later, opposition parties in Parliament approached the Constitutional Court to force the ruling party, the ANC, to hold the President accountable for his actions.³⁸⁰ The verdict of the case stated that the judicial oversight

³⁷⁴ Alence and Pitcher, 9.

³⁷⁵ Ibid.

³⁷⁶ Ibid.

³⁷⁷ Klug, 729-733.

³⁷⁸ Ibid.

³⁷⁹ Ibid.

³⁸⁰ Ibid.

“falls outside the parameters of judicial authority to prescribe to the National Assembly how to scrutinize executive action”.³⁸¹ Thus, this verdict left the actions of the executive to be under the watch of Parliament.

The lack of formal separation of powers allows for substantial interpretation of the Constitution. The failure of each body to oversee the others and to not regularly hold each other accountable for their misconducts led to institutional weakness so severe that the executive body itself became subject to outside authority.

Although the lack of checks and balances within the governing bodies of South Africa may be the most glaring issues that led to state capture, another was the lack of procurement procedures for the government to award bids for goods and services. Procurement procedures and minimum requirements allow for many companies to offer their products and services while remaining competitive in a capitalist market. By removing these requirements, this allows for the same few companies to win government bids that they may not be equipped to handle and could possibly waste tax dollars on a project that is never delivered upon. One of the many examples of a Gupta-operated corporations taking advantage of this loophole occurred in 2010.³⁸² Oakbay Resources and Energy, a Gupta ran company, purchased the Uranium One’s Domino mine in Klerksdorp, South Africa.³⁸³ The son of Jacob Zuma, Duduzane Zuma was a shareholder in the company.³⁸⁴ The purpose of this purchase was to move South Africa towards nuclear power and away from fossil fuels. A new market would be created that the Gupta’s could further profit from, as the nation’s sole provider for uranium. Zuma was accused of extending the term of the

³⁸¹ *Economic Freedom Fighters v Speaker of the National Assembly and Others*, Constitutional Court of South Africa March 31, 2016. <http://www.saflii.org/za/cases/ZACC/2016/11.html>.

³⁸² Madonsela, 119-121.

³⁸³ *Ibid.*

³⁸⁴ *Ibid.*

Public Investment Corporation's Head, Brian Molefe.³⁸⁵ He denied these allegations and the massive infrastructure project was scrapped due to the risk to the energy sector.

The following year, in 2011, Brian Molefe was appointed as the CEO of Transnet, a state-owned and operated company that specializes in freight rail and pipeline creation and maintenance across South Africa.³⁸⁶ The Chief Financial Officer, Anoj Singh, announced a project for new rail cars that would total R51 billion.³⁸⁷ In 2012, another Gupta-linked company, Trillian Asset Management, was hired as a consulting firm to access and broker the deal for the new rail cars.³⁸⁸ Trillian Asset Management split the purchase of the rail cars between various companies, profiting the whole way. This is just one example of a Gupta-operated company accepting and awarding government bids.

A final example of institutional weakness was the lack of established process by Parliament to bring impeachment proceedings against the President.³⁸⁹ This accountability process is separate from a vote of no confidence since the Constitution has separate criteria and consequences for each motion.³⁹⁰ A majority of the court found that Parliament had a constitutional duty to create a structure to allow the impeachment of a president by two-thirds vote if there is serious offense to the Constitution or misconduct by the president.³⁹¹ The failure to have a system in place for possible impeachment is negligent at best. The Constitution defines

³⁸⁵ Ibid.

³⁸⁶ "Overview." About Us. Accessed April 5, 2021. <https://www.transnet.net/AboutUs/Pages/Overview.aspx>; Renwick, Robin. 2018. *How To Steal A Country: State Capture in South Africa*. La Vergne: Biteback Publishing. Accessed April 4, 2021. ProQuest Ebook Central.

³⁸⁷ Madonsela, 119-121.

³⁸⁸ Ibid.

³⁸⁹ Klug, 736.

³⁹⁰ Ibid.

³⁹¹ Ibid.

the possibility of impeachment in Section 89 but leaves the details of inquiry and procedure to Parliament.³⁹²

Downfall of Zuma and Gupta Influence

Throughout and even before Jacob Zuma's presidency began, he had been in and out of court over various scandals and corruption charges.³⁹³ Zuma's first major scandal broke when journalists discovered that he had been using public funds to update his private estate early into his first term as President.³⁹⁴ The Public Protector, Thuli Madonsela, along with an opposition party issued a report in 2014 stating that over \$20 million had been spent on upgrades.³⁹⁵ Zuma and his supporters argued that the upgrades were necessary and for security purposes. He was able to navigate his way through this by agreeing to pay a percentage of the expenditures back to the state and the event was titled the Nkandla scandal.

The second major scandal to involve Zuma began with rumors that he was outsourcing the duty of his ministers to the members of the Gupta family as well as his connection to their many private companies who were awarded an unusually high amount of government contracts.³⁹⁶ These rumors triggered Madonsela, of the Public Protector Office, to investigate the claims.³⁹⁷ October 14th, 2016, the South African Public Protector released a report on the analysis of the current situation regarding state capture.³⁹⁸ This report is the foundation in which the corruption, political malfeasances, and institutional weaknesses are shown. The investigation

³⁹² "Constitution of the Republic of South Africa, 1996." South African Government. Accessed April 5, 2021.
<https://www.gov.za/documents/constitution-republic-south-africa-1996>.

³⁹³ Alence and Pitcher, 12.

³⁹⁴ Ibid.

³⁹⁵ Alence and Pitcher, 12.

³⁹⁶ Ibid., 13.

³⁹⁷ Ibid.

³⁹⁸ Labuschagne, 52.

resulted in a report which uncovered that the Gupta family had a labyrinth of individuals and groups that posed an outside influence on the South African government.

The report itself was inconclusive, but it became the catalyst for future investigations that would ultimately lead to the end of Gupta control of the state.³⁹⁹ A call was made for a judicial commission of inquiry to investigate the report further.⁴⁰⁰ However, the president must appoint this commission, and Zuma was in no rush to investigate himself. The case would stall until 2017 when two whistleblowers came forward with documents and emails from a Gupta server.⁴⁰¹ The documents that were brought forward showed that Zuma had assisted in creating a network to divert public resources and funds for himself and the various Gupta operated companies. January of 2018 was marked as the day Zuma finally agreed to appoint a Commission of enquiry into state capture.⁴⁰² He would resign shortly thereafter on February 14th, 2018.⁴⁰³

The Public Protector provided a counterbalance to the overreaching authority of the executive power and the protection of the ANC. Zuma would survive several votes of no-confidence throughout his terms as president. Each vote divided the ANC further. Opposition parties united to request the courts to allow a secret ballot for a vote of no-confidence in Parliament. The court did confirm that only the speaker of Parliament, an ANC member, had the authority to allow such an action. In August of 2017, the speaker did agree to the secret ballot and the vote of no-confidence failed 198 – 177. The significance is that over ten percent of ANC members voted against Zuma.

³⁹⁹ Alence and Pitcher, 13.

⁴⁰⁰ Ibid.

⁴⁰¹ Alence and Pitcher, 13.

⁴⁰² Klug, 736.

⁴⁰³ “South Africa's Jacob Zuma Resigns after Pressure from Party,” BBC News (BBC, February 15, 2018), <https://www.bbc.com/news/world-africa-43066443>.

A major component to the success and longevity of state capture relied on individuals to be in positions of power that could be bought to turn the other cheek and make no attempt to change the status quo.⁴⁰⁴ The last cases to go to court involved the hiring and firing of government officials that included large settlements and pay outs. In *Corruption Watch v. President of the Republic of South Africa*, the High Court decided on the validity of the termination of the Director of Public Prosecutions, Mxolisi Nxassana. They found that he was fit to serve and that his replacement, Shaun Abrahams was unfit, and Abrahams was charged with failing to investigate the claims against the Guptas and President Zuma. Furthermore, the court decided that Zuma had a conflict of interest and stripped him of his constitutional power of appointment and allowed the Deputy President to appoint a new Director of Public Prosecutions. This decision was handed down on December 8, 2017.

Rise of the Economic Freedom Fighters and the “New Dawn”

Controversy surrounded the Zuma presidency, and as a result, the people’s faith in the ANC declined drastically. The municipal elections of 2016 were lost for the ANC, losing strongholds such as Pretoria, Johannesburg, and Port Elizabeth.⁴⁰⁵ Once the citizens of South Africa were aware of the consequences of Zuma’s corruption, faith in government, democracy, and political parties declined. The most noticeable measure of the decline of faith in the government came in the election of 2019.⁴⁰⁶ Fewer than 66 percent of South Africa’s registered voters cast a vote and was also the lowest record of voter turnout since the.⁴⁰⁷ A survey conducted showed that 9 percent of South Africans agreed with the statement “my country is

⁴⁰⁴ Madonsela, 116.

⁴⁰⁵ Alence and Pitcher, 15.

⁴⁰⁶ Ibid.

⁴⁰⁷ Ibid.

divided between ordinary people and the corrupt elites who exploit them”.⁴⁰⁸ To combat the institutional weakness that led to the political and economic state that South Africa found itself in, other political parties emerged as a champion of the people.

As discontent grew for Zuma and the ANC, a group formed known as the Economic Freedom Fighters (EFF), which was founded in 2013 as a result of a dispute between Zuma and the leader of the ANC Youth League, Julius Malema.⁴⁰⁹ Their slogan “economic freedom in our lifetime” is the message that the South African people want their government to hear and abide by.⁴¹⁰ The history of corruption within the ANC is the main reason that the EFF gained popularity rapidly. During the 2014 election, the EFF received 1,169,259 votes or 6.35 percent of the popular vote which equaled to 25 seats in the national assembly.⁴¹¹ The EFF has gained votes, seats, and territory in each election since. An important note is that the EFF is considered a populist movement and are often considered by many to be radical and akin to fascists in their approach to problem solving. In 2015, the EFF interrupted Zuma’s State of the Nation address by chanting “pay back the money” in reference to the Nkandla scandal.⁴¹² By ignoring the needs of the many for so long, those who are responding are viewed as radical. Rachel Adams argues that the existence of the EFF is critical to the advancement of a healthy democracy and to advocate for the government to fulfil its promises made in the Constitution to the people of South Africa.⁴¹³

Since the first days of Zuma’s presidency, the ANC has struggled to maintain a considerable majority of the votes that they used to receive. Even in 2019, when faith in the

⁴⁰⁸ Ibid.

⁴⁰⁹ Satgar, 580-605.

⁴¹⁰ Ibid.

⁴¹¹ Ibid.

⁴¹² Ibid.

⁴¹³ Adams, 118.

ANC was considered to be at an all-time low, the party still maintained a comfortable majority in the national assembly. In an effort to gain back the trust and support of their current and former constituency, the current President of South Africa, Cyril Ramaphosa, has promised a “New Dawn” for South Africa.⁴¹⁴ Ramaphosa and members of the ANC have acknowledged the failures of government as well as their own party to prevent, investigate, and stop the facilitation of state capture. The occurrence of state capture is recognized by the current administration as a detriment to South African democracy and that future measures will be taken to avoid such actions moving forward. The direct cost of Zuma’s second term as President, only 4 years, as a result of state capture is estimated to be at \$100 billion.⁴¹⁵

Since taking office in 2018, Ramaphosa has proposed and implemented some measures to prevent future institutional weakness with a focus on hampering further corruption of government officials. After the election, but before taking office, Ramaphosa announced that a new board of directors would be appointed for the state-run energy company, Eskom.⁴¹⁶ Eskom was a significant actor in an electricity crisis from mismanagement under Zuma as resources were skimmed and provided elsewhere.⁴¹⁷ Ramaphosa also appointed commissions of inquiry into tax administration and into the national prosecuting authority.⁴¹⁸ The investigation found some remaining officials where affiliated with individuals or organizations with corrupt histories, and these individuals were immediately relieved of duty.⁴¹⁹ As a result of the commission in the national prosecuting authority, a unit that specializes in corruption-related crimes, became a permanent fixture.

⁴¹⁴ “President Cyril Ramaphosa Pledges ‘New Dawn’ for South Africa,” BBC News (BBC, February 16, 2018), <https://www.bbc.com/news/world-africa-43093370>.

⁴¹⁵ Alence and Pitcher, 14.

⁴¹⁶ Ibid., 16-17.

⁴¹⁷ Ibid.

⁴¹⁸ Ibid.

⁴¹⁹ Ibid.

These reforms that the ANC and Ramaphosa are helpful in ridding the state of its current problems in terms of corruption, but as of the time of the writing of this text, little has been done at the institutional level to prevent a future case of state capture. The lack of oversight between the branches and formal checks and balances leaves the door open to other possibilities of institutional weakness in whatever form that may take. As long as South Africa remains a single party majority, the national assembly and executive will be married and unable to hold the other accountable.

Reflections

The resignation of Jacob Zuma as President marked the beginning of a new era where the people, media, and government will be able to hold individuals more accountable for misconduct and corruption.⁴²⁰ Cyril Ramaphosa launched an investigation into the issue of State Capture in January 2018.⁴²¹ Since then, several arrests have been made of government officials that awarded illegal tenders and those that were actors in the implementation and sustainment of state capture.⁴²² A reward was placed on members of the Gupta family of R1million, and South African authorities are currently working with Interpol to locate the suspects. On April 4th, 2021, the Times of India news outlet reported that the South African Reserve Bank recovered approximately R20 million from a local bank account from Nedbank, a major Gupta company. This shows that South Africa is attempting to hold the Gupta family accountable for the turmoil that they created.

The cost of state capture in resources, money, and potential growth is staggering. Labuschagne analyzes the phenomenon of state capture in South Africa from a political point of

⁴²⁰ Madonsela, 126.

⁴²¹ Ibid.

⁴²² Ibid.

view and investigates transition of a nation from a weak to dysfunctional state.⁴²³ The move from a weak to a dysfunctional state is defined as the control of resources being influenced by an outside agent.⁴²⁴ Mechanisms that were created to equitably disperse resources failed and led to a nation where the citizenry suffered. There was more than an economic or political consequence, human rights were violated in the process. The Constitution was created to address and correct the disparities left from the legacies of colonization and apartheid as mentioned in the court case, *The Republic of South Africa v. Grootboom*.⁴²⁵

Hindsight is a powerful tool that can be used to avoid further institutional weakness. South Africa has a long road to recovery in gaining back the citizens' trust in the government, creating future economic opportunity, and ensuring political stability. Some of the ways that South Africa could prevent another incident of such catastrophic institutional weakness in the future are implementing better procurement policies, vetting individuals who serve in political parties and are public servants and increasing the oversight ability of the Public Protector and Auditor General. By improving procurement policies, agencies can see abnormal trends in companies winning government contracts and avoid public firms from influencing the government. Political parties are a source of problem for South Africa. Individuals join parties with no background checks and quickly rise through the ranks as a favorite for one reason or another. Implementing background checks can prevent future corruption by limiting those who have been charged or who are undergoing investigation for charges of corruption. Moreover, not allowing private individuals or organizations to make large, anonymous donations to parties can create more transparency and make it easier to track who may be involved in corruption

⁴²³ Labuschagne, 52-60.

⁴²⁴ Ibid.

⁴²⁵ Labuschagne, 62.

schemes. Publishing details lobbying and setting clear expectations for the behavior of public servants could be another way to avoid further corruption.

This text makes some possible suggestions for what could be implemented and reformed to prevent future institutional weakness, but there is no one solution as this is a deep rooted and long-lasting problem. Some scholars believe that the beginning of state capture in South Africa began as early as 1997 and continued to grow.⁴²⁶ With such an engrained system of institutional weakness where corruption became an acceptable norm, many aspects of the entire government at the provincial and national level will need to be employed. Many agencies, individuals, and organizations will need to be created, reformed, or removed in order to completely solve the problem. Thus, the issue is not likely to be corrected in the near future, since such a monumental effort of both time and resources to make such a change are just not feasible at the moment.

Conclusion

Unlike various other nations, the Constitution of South Africa was not as organic in nature such that it was created within a time frame for the United Nations to mediate the transfer of power between the ANC and the apartheid regime. Several aspects of the Constitution seemed to be idealistic and included necessities that went unimplemented. For example, the 1993 *Declaration of Intent* included a provision for a system of checks and balances, but this system was not established in the Constitution in 1996.⁴²⁷ This served as the foundation of the institutional weakness that allowed the event of state capture to take hold and come to light under President Jacob Zuma.

Historically, checks and balances were designed to protect the citizens right to basic freedoms. South Africa did create the six institutions outside the branches to ensure those rights.

⁴²⁶ Madonsela, 113–130.

⁴²⁷ “Declaration of Intent,” Convention for a Democratic South Africa (CODESA), 1991-1993.

The failure of the three branches to hold each other accountable for their shortcomings caused a stalemate and furthered the damage caused by the Gupta family on South Africa. This text considered the failures, institutions, and processes that led to the disablement of the accountability mechanisms that could have prevented institutional weakness that allowed the event of state capture to take hold.

By utilizing court cases seen by the South African High Court and Constitutional Court, one can establish the priorities of the government and decisions that led to the failure of the judicial and legislature to hold the executive accountable. Understanding these cases and the system of accountability is critical to viewing how the structure of the shadow government and war economy was established. It is unclear how long the shadow government had been in place, but it is clear that Zuma was strongly influenced by the Gupta family and billions of dollars in resources and direct funds were extracted out of the country through an elaborate system of middlemen to move the resources around.

Scandals plagued the ANC and those scandals surrounding Zuma grew more severe as the time of his presidency elapsed. Zuma being elected with charges of corruption and fraud could be seen as a conflict of interest in itself, but as time went on, the charges against him grew in number and in scale. From using public funds to expand his personal estate, hiring and firing heads of departments, nepotism, to awarding government contracts to the same few companies, are just some of the scandals that came to light.

Zuma's mismanagement of the nation caused a lack of trust in government officials and its ability to operate without outside influence. This created a rise in political parties and movements to take back the government and fight the corruption that was becoming more apparent. The rise of the Economic Freedom Fighters (EFF) is the most notable as they are the

fastest growing minority party in South Africa. Their engagements are direct and impactful as they attempt to hold those accountable for their actions that led to state capture. Faith in the ANC has diminished, and voter turnout has dropped significantly in the previous elections from 2016–2019.

The resignation of Jacob Zuma and the rise of Cyril Ramaphosa marked a “New Dawn” for South Africa.⁴²⁸ Ramaphosa has focused his administration on fighting corruption and to find and hold the actors responsible for state capture accountable. Expanding the authority of the Public Protector and creating departments specifically to investigate corruption are some of the ways Ramaphosa’s administration is combating future corruption.

Although there is no clear answer to how South Africa should pave the way to recovery or prevent future institutional weakness, steps can be taken to mitigate the risk of state capture again. These include political party transparency, a more advanced procurement process, and a set of public servant expectations. With so many moving parts in any government, steps at the provincial and national level need to be taken to improve and prevent further institutional weakness. The recommendations presented are vague at best and would require more research to be meaningful. The cost and consequences of state capture are mostly predictions at this point giving that Jacob Zuma did not resign until 2018 and the global COVID-19 pandemic began in 2020, causing a stagnation in the South African economy. COVID-19 has shifted government priorities away from correcting and preventing institutional weakness. Studying the political impact of state capture could be the most helpful in advancing potential reform. Investigations are still underway within the national government and by analyzing these could serve as a

⁴²⁸ President Cyril Ramaphosa Pledges 'New Dawn' for South Africa,” BBC News (BBC, February 16, 2018), <https://www.bbc.com/news/world-africa-43093370>.

foundation to creating and reforming accountability mechanisms. The more direct questions that need to be researched are how can public servants be held accountable and through what processes can malfeasances be investigated and tried across the national and provincial governments? The current system is a maze of who or what is responsible for oversight of the other branches, and a more direct and clear system should be researched and proposed.

Conclusion

On South Africa's Freedom Day in 1995, Nelson Mandela marked the one-year anniversary of independence with a speech. Mandela remarked,

“We have learnt over the First Freedom Year that there is no short-cut to making South Africa the country of our dreams. It requires hard work by those entrusted with positions of responsibility in government. It demands that workers and employers work together to produce efficiently and compete with the best in the world, to achieve equity and to help create more jobs. ... It requires hard work by students and teachers to build a literate, skilled and learned society.”⁴²⁹

Mandela knew early on that it was up to the government to lead the people to equality and prosperity while prioritizing education to further develop the nation to a higher standard. The process of nation building is a long and tedious path that South Africa must navigate.

Development in South Africa can be measured in a variety of ways. Using the working definition of development in this text, South Africa is bound by their Constitution to improve the quality of life of its citizens. Standards of living have increased in South Africa since the fall of apartheid but have stalled since the global financial crisis in 2007-2008.⁴³⁰ Scholars have discussed the factors that have slowed development in South Africa the most and what can be done to improve future outcomes. By analyzing three of the most reoccurring and, in my opinion, important explanations as to why development is slower than expected in South Africa, a process can begin to correct the problems and lead to a better society for all South Africans.

The history and legacy of colonization and apartheid are a critical part to understanding how the current government operates and impacts the daily lives of South Africans. Namibia, formerly German South West Africa, initially being colonized by the Germans, aside from the

⁴²⁹ “Speech by President Nelson Mandela at the Freedom Day Celebrations,” Nelson Mandela Foundation, accessed April 6, 2021, http://db.nelsonmandela.org/speeches/pub_view.asp?pg=item&ItemID=NMS244.

⁴³⁰ Alence and Pitcher, 5-19.

Walvis Bay territory, set a unique case for both South African and Namibian futures. During World War I, Germany would lose the Namibian colony, and it was turned over to the British where it became a part of the Cape Colony.⁴³¹ The early colonization experience was different for Namibia and South Africa, but under South African rule, both were oppressed under apartheid rule. Even though the Namibian people and South African people had a similar enemy, they sought independence separately and through different means. The African National Congress (ANC) emerged in 1913 in South Africa and the South West African People's Organization (SWAPO) emerged in 1960 in Namibia to fight the apartheid regime and advocate for independence.⁴³² Both of these groups remain their respective nations ruling party today.

Namibia and South Africa were conjoined as one nation from 1915 until Namibia gained independence in 1990. South Africa would hold its first democratic election, marking true freedom and independence, in 1994. Having been reliant on each other for resources and capital, it marked a hurdle for South Africa to progress without a large, geographical, portion of the country.

Education is seen as one of the key aspects to the further advancement of a nation. Creating a skilled workforce is important for a nation to advance into a knowledge-based economy. South Africa continues to face several problems with their education system as it pertains to infrastructure, classroom curriculum, accessibility, and equity. A lack of funding is the most critical factor to the state of the South African education system. The infrastructure and framework from the apartheid system is still utilized today. This leads to children in rural areas

⁴³¹ Worger, Clark, and Alpers.

⁴³² "SWAPO Party of Namibia". Encyclopedia Britannica, 4 Dec. 2019, <https://www.britannica.com/topic/SWAPO-Party-of-Namibia>. Accessed 6 April 2021.

not having a school to attend, many schools not having water or electricity, and a curriculum that does not lead to further educational attainment and one that does not create a skilled work force.

The best way to improve educational outcomes appear through social welfare programs that offer direct payments to families with children that qualify with a minimum income requirement. The program that is specific to South Africa is called the Child Support Grant (CSG).⁴³³ It has seen several extensions since its origination and one of the most important came in 2010 when school attendance became a requirement to continue to receive the payments. Flaws exist in this system that include a family's ability to sign up for the benefit either due to location or knowledge and the populace overcoming the stigma of accepting government assistance. Some other programs exist that could improve educational attainment across the nation such as teacher pay incentives, as mentioned in Chapter Two.

Lastly, the final, discussed, hinderance to furthering South African development and what Mandela emphasized in his one-year independence speech is the responsibility of government to be trustworthy and efficient. Under the administration of Jacob Zuma, 2009–2018, South Africa lost its ability to govern and fell from a weak state to a dysfunctional state.⁴³⁴ This is defined as when a nation loses its ability to self-govern due to outside influence. A prominent family from India, the Guptas, used their influence and resources to manipulate the executive authority. Several Gupta operated companies won state contracts and skimmed resources from government departments and agencies. The full cost of state capture and the potential loss of investment is difficult to measure. It is estimated that the last four years of Zuma's presidency cost South Africa \$100 billion.⁴³⁵

⁴³³ Hall.

⁴³⁴ Labuschagne.

⁴³⁵ Alence and Pitcher, 14.

This event of an outside influence controlling the government is referred to as state capture. Zuma and the Gupta family were able to avoid responsibility for their actions due to several examples of institutional weakness that occurred. Most notably, the South African Constitution lacks a formal creation of a checks and balances system that would allow for oversight of each branch. Instead, six separate institutions that exist outside the three branches to ensure that the promises of the Constitution are upheld and that malfeasances are kept at a minimum for public servants.⁴³⁶

South Africa being a parliamentary democracy, has a president who is also the leader of the majority party in the National Assembly. This created a hierarchy within the governing political party that intertwined the executive and legislative branches together. It made for a difficult situation when attempting to hold one branch liable for their actions. The judicial branch began to slowly establish a system of checks and balances through rulings on court cases. Each major ruling had its implication in advancing or slowing the event that led to state capture.

Scandal plagued the ANC and President Zuma through his terms in office. As scandals grew more elaborate and frequent, distrust in the government and democracy grew with it. The ANC began losing its vast majority in the National Assembly as voter turnout decreased and the rise of new political parties became more popular. The most notable of these new parties is the Economic Freedom Fighters (EFF).⁴³⁷ Beginning in 2013 as a break off group from the ANC Youth League, the EFF slogan is “economic freedom in our lifetime”. As the quality of life

⁴³⁶ “Structure and Functions of the South African Government,” South African Government, accessed April 3, 2021, https://www.gov.za/about-government/government-system/structure-and-functions-south-african-government#gov_cluster.

⁴³⁷ Satgar.

stagnated under Zuma and the leadership of the ANC, the EFF promise a tomorrow free of government and improvements to everyday life.

Zuma resigned as president in February 2018 and the Gupta family fled South Africa when the new president, Cyril Ramaphosa, issued an investigation into the reports of corruption involving the Guptas. Ramaphosa has promised a “New Dawn” for South Africa where the failure of the accountability mechanisms that allowed for state capture to be corrected to prevent future malfeasances at such a high level.⁴³⁸

Correcting the forms of institutional weakness within the South African government would require a near overhaul of the governmental system at both the national and provincial level. A more realistic approach to offering suggestions is taken that accounts for the available resources and ability to implement corrective measures. By expanding the six institutions that the Constitution allows for oversight of each branch could help in holding individuals and organizations accountable for possible corruption. Moreover, by requiring background checks for politicians as well as limiting how much can be donated to a political party anonymously could create a more transparent system.

These three topics are just a few of some of the issues facing South Africa today. Education, history, and institutional weakness are viewed as the largest hurdles to overcome before progressing as a nation. Further research can be done to improve recommendations on how to improve the troubles facing South Africa in a realistic manner. Some may include conducting further research on the effectiveness of expanding the CSG to the age of 21 in order to allow students to continue their education at the collegiate level and assessing the impact of access to employment (i.e. providing employment opportunities to families directly). Also, as

⁴³⁸ “President Cyril Ramaphosa Pledges 'New Dawn' for South Africa,” BBC News (BBC, February 16, 2018), <https://www.bbc.com/news/world-africa-43093370>.

more information appears from the investigations into the Guptas and the event of state capture, it would be beneficial to apply those findings to expanding accountability mechanisms and oversight reach accordingly.

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Austin M. Hutchinson

PROFILE SUMMARY:

Results-driven and strategic leader with a background in government policy, government analytics, business/finance acumen, and education. Proven success in communication, operational services, project management, information technology utilization, and the review and statistical analysis of data.

EDUCATION

Johns Hopkins University, Washington, D.C., Master of Arts, 05/2021

Major: Government

Lynchburg College (renamed *University of Lynchburg* as of July 2018), Lynchburg, Virginia, Bachelor of Arts, 05/2018

Major: History

Country of Citizenship: United States of America

EDUCATIONAL EXPERIENCE

Master's Thesis: The Effects of Colonization and Apartheid On The Development of South Africa: Namibian Influence, Impacts On Education, and State Capture.

Awarded *Honors for Thesis Research* by Johns Hopkins University Government Faculty (May 2021). Advisor: Dr. Benjamin Ginsberg.

B.A. History Program Thesis: The Emergence of Zoos in the U.S. and a Search for the Exotic. Advisor: Dr. Adam Dean.

INTERNATIONAL EXPERIENCE

- **Canada**, Fall 2018-Winter 2020
Briefly lived in Montreal, QC, Canada and worked in southern Quebec. Held an Open Work Permit visa.
- **Tanzania**, Summer 2018
Climbed Mount Kilimanjaro. Interacted with local Maasai and Chagga ethnic groups.
- **South Africa**, Study Abroad, Lynchburg College, Summer 2017
Studied literature and film of South Africa and history of South Africa.
- **Vietnam/Cambodia**, Study Abroad, Lynchburg College, Winter 2016-2017
Studied literature and film of Vietnam and Cambodia and religions of Eastern Asia.